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The secretary of state's office makes every effort to provide program accessibility to all citizens without regard to disability. If you desire this publication in alternate form because of a disability, please contact the Division of Administrative Rules, PO Box 1767, Jefferson



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Documents will be accepted for filing on all regular workdays from 8:00 a.m. until 5:00 p.m. We encourage early filings to facilitate the timely publication of the *Missouri Register*. Orders of Rulemaking appearing in the *Missouri Register* will be published in the *Code of State Regulations* and become effective as listed in the chart above. Advance notice of large volume filings will facilitate their timely publication. We reserve the right to change the schedule due to special circumstances. Please check the latest publication to verify that no changes have been made in this schedule. To review the entire year's schedule, please check out the website at <http://www.sos.mo.gov/adrules/pubsched.asp>

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HOW TO CITE RULES AND RSMo

RULES—Cite material in the *Missouri Register* by volume and page number, for example, Vol. 28, *Missouri Register*, page 27. The approved short form of citation is 28 MoReg 27.

The rules are codified in the *Code of State Regulations* in this system—

Title	Code of State Regulations	Division	Chapter	Rule
1	CSR	10-	1.	010
Department		Agency, Division	General area regulated	Specific area regulated

They are properly cited by using the full citation , i.e., 1 CSR 10-1.010.

Each department of state government is assigned a title. Each agency or division in the department is assigned a division number. The agency then groups its rules into general subject matter areas called chapters and specific areas called rules. Within a rule, the first breakdown is called a section and is designated as (1). Subsection is (A) with further breakdown into paragraph 1., subparagraph A., part (I), subpart (a), item I. and subitem a.

RSMo—The most recent version of the statute containing the section number and the date.



FROM THIS ANGLE...

Telephone Inquiries

During the summer months, we have been fortunate enough to have a summer intern, Nathan Dampf, working with us to assist us in checking long ago filed documents, verifying contact information, organizing and cross-checking incorporated by reference materials, etc. (Nathan is a student at Central Missouri State University and will be a junior this school year.) Nathan's assistance has been invaluable in getting all of this information categorized and contained in an electronic spreadsheet – thus making our systems much more efficient. You may have already received a call from Nathan or from another member of our staff. We are attempting to organize and clean up **Code** and anything related to **Code** in anticipation of automating administrative rulemaking. Please be responsive to Nathan or any other member of our staff when they call. After all, we are trying to assist your agency in ensuring all of the proper materials are on file and maintained in this office.

Nathan and other members of the Administrative Rules team will also be calling to verify agency contact names, addresses, telephone numbers and e-mail addresses. This should take only a few moments of your time to make certain we have the most up-to-date information for your agency. Thank you in advance for your help with these important projects.

Changes in Administrative Rules – Budget Cuts

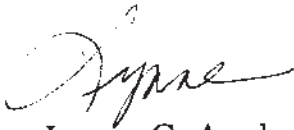
The Administrative Rules Division experienced budget cuts by way of 2 FTEs, as have many of our friends in state government. Tough times call for tough actions. We will continue with our goal to meet or exceed your expectations as we regroup and reassign duties to meet our ongoing publication deadlines and related work products. If you have any specific needs or questions, please do not hesitate to call me at 573-522-9262 or e-mail me at anglel@sosmail.state.mo.us.

Address Change

Should you need to communicate with the Administrative Rules Division *via* e-mail in order to forward an in addition, or any other publication-type e-mail (except dissolutions) -- or -- if you need an electronic copy of your rule text to begin revisions for a rulemaking, please e-mail our Ad Rules mailbox at rules@sosmail.state.mo.us. Our main line telephone number remains the same -- 573-751-4015.

If you are forwarding a dissolution, please utilize our dissolutions mailbox, which is: dissolutions@sosmail.state.mo.us.

Please let us know if we may be of any assistance with any phase of the rulemaking process or in the publication of your agency's rules.



Lynne C. Angle, Director
Administrative Rules Division

Rules appearing under this heading are filed under the authority granted by section 536.025, RSMo 2000. An emergency rule may be adopted by an agency if the agency finds that an immediate danger to the public health, safety or welfare, or a compelling governmental interest requires emergency action; follows procedures best calculated to assure fairness to all interested persons and parties under the circumstances; follows procedures which comply with the protections extended by the *Missouri* and the *United States Constitutions*; limits the scope of such rule to the circumstances creating an emergency and requiring emergency procedure, and at the time of or prior to the adoption of such rule files with the secretary of state the text of the rule together with the specific facts, reasons and findings which support its conclusion that there is an immediate danger to the public health, safety or welfare which can be met only through the adoption of such rule and its reasons for concluding that the procedure employed is fair to all interested persons and parties under the circumstances.

Rules filed as emergency rules may be effective not less than ten (10) days after filing or at such later date as may be specified in the rule and may be terminated at any time by the state agency by filing an order with the secretary of state fixing the date of such termination, which order shall be published by the secretary of state in the *Missouri Register* as soon as practicable.

All emergency rules must state the period during which they are in effect, and in no case can they be in effect more than one hundred eighty (180) calendar days or thirty (30) legislative days, whichever period is longer. Emergency rules are not renewable, although an agency may at any time adopt an identical rule under the normal rulemaking procedures.

Title 10—DEPARTMENT OF NATURAL RESOURCES Division 70—Soil and Water Districts Commission Chapter 5—State Funded Cost-Share Program

EMERGENCY AMENDMENT

10 CSR 70-5.040 Cost-Share Rates and Reimbursement Procedures. The Soil and Water Districts Commission is amending section (1).

PURPOSE: *This amendment will remove the stipulation that state cost-share rates shall not exceed the locally federally funded cost-share rate. By amending the existing rule, the Soil and Water Districts Commission (the commission) will be able to continue providing a seventy-five percent (75%) cost-share rate while the local federal cost-share program will provide a fifty percent (50%) cost-share rate beginning July 1, 2003. This emergency amendment does not represent a change in the percentage of state-cost share rate of seventy-five percent (75%), but, rather, ensures a continuance of the customary practice at the current state-cost share rate of seventy-five percent (75%). Additionally, no additional impact on state funds will be created by this emergency amendment nor will any additional expenditures of General Revenue funds occur as a result of this emergency amendment.*

EMERGENCY STATEMENT: *The Soil and Water Districts Commission believes that a compelling governmental interest exists in*

notifying the citizens of the state of Missouri, particularly the agricultural community, that there will be no reduction in the state cost-share percentage of seventy-five percent (75%), even though the federal cost-share percentage is being reduced to fifty percent (50%). This will ensure that more conservation work is accomplished throughout the state of Missouri. This emergency amendment is limited in scope to address this specific state cost-share percentage and the continuance of that practice only.

Current Soil and Water Conservation Program rules state that, "State cost-share rates shall not exceed the local federally funded cost-share rates for corresponding practices nor shall components be included which are not eligible through the local federally funded program. . . ." This rule was originally written when the available local federal cost-share funds were quite limited and if not used, were returned to the federal coffers. The Soil and Water Districts Commission did not want a state cost-share program that competed with the federal cost-share program. Both the federal and state cost-share programs have been providing a seventy-five percent (75%) cost-share rate to participants. However, due to the current increased federal funding for cost-share made available through the Farm Bill as well as the backlog of federal applications waiting to be funded, the Missouri Natural Resources Conservation Service (NRCS) state conservationist announced that local federal cost-share rates, beginning on July 1, 2003 will be paid at fifty percent (50%).

Given the depressed agricultural economy of the state, the Soil and Water Districts Commission would like to keep the state cost-share rate at seventy-five percent (75%). They feel that by keeping the cost-share rate at seventy-five percent (75%), more conservation work will be completed, helping them meet their goal of reducing soil erosion on ninety-five percent (95%) of Missouri's agricultural land to an acceptable level by 2006.

Amending the rule would remove the stipulation that state cost-share rates will not exceed the local federally funded cost-share rates. The Soil and Water Districts Commission has requested this emergency amendment in order to allow them to continue to provide a seventy-five percent (75%) cost-share rate while the local federal cost-share program will provide a fifty percent (50%) cost-share rate beginning July 1, 2003. Allowing the commission to implement this amendment will allow them to continue to provide a seventy-five percent (75%) cost-share rate to Missouri agricultural landowners that may be unable to construct or install soil and water conservation practices for less than seventy-five percent (75%).

*Therefore, the commission finds that compelling governmental interests require adoption of this emergency amendment. The scope of this emergency amendment is limited to the circumstances creating the emergency and complies with the protections extended in the *Missouri* and *United States Constitutions*. The Department of Natural Resources believes this emergency amendment is fair to all interested persons and parties under the circumstances. This emergency amendment was filed on July 9, 2003, effective July 19, 2003 and expires January 14, 2004.*

(1) Cost-Share Rates. *Cost-share rates shall not exceed seventy-five percent (75%) of the actual approved costs of eligible practices or the incentive rates established annually by the commission for certain management practices which have proven to be effective soil and water conservation methods. [State cost-share rates shall not exceed the local federally funded cost-share rates for corresponding practices nor shall components be included which are not eligible through the local federally funded program, except that special area land treatment project areas are exempt from local federally funded cost-share rate and component limitations of this rule.]*

AUTHORITY: *sections 278.070(4), and 278.110.8, RSMo 2000 and 278.080.5(9), RSMo [1986] Supp. 2002. Original rule filed*

*Aug. 12, 1980, effective Jan. 1, 1981. For intervening history, please consult the **Code of State Regulations**. Emergency amendment filed July 9, 2003, effective July 19, 2003, expires Jan. 14, 2004.*

Under this heading will appear the text of proposed rules and changes. The notice of proposed rulemaking is required to contain an explanation of any new rule or any change in an existing rule and the reasons therefor. This is set out in the Purpose section with each rule. Also required is a citation to the legal authority to make rules. This appears following the text of the rule, after the word "Authority."

Entirely new rules are printed without any special symbolology under the heading of the proposed rule. If an existing rule is to be amended or rescinded, it will have a heading of proposed amendment or proposed rescission. Rules which are proposed to be amended will have new matter printed in boldface type and matter to be deleted placed in brackets.

An important function of the *Missouri Register* is to solicit and encourage public participation in the rulemaking process. The law provides that for every proposed rule, amendment or rescission there must be a notice that anyone may comment on the proposed action. This comment may take different forms.

If an agency is required by statute to hold a public hearing before making any new rules, then a Notice of Public Hearing will appear following the text of the rule. Hearing dates must be at least thirty (30) days after publication of the notice in the *Missouri Register*. If no hearing is planned or required, the agency must give a Notice to Submit Comments. This allows anyone to file statements in support of or in opposition to the proposed action with the agency within a specified time, no less than thirty (30) days after publication of the notice in the *Missouri Register*.

An agency may hold a public hearing on a rule even though not required by law to hold one. If an agency allows comments to be received following the hearing date, the close of comments date will be used as the beginning day in the ninety (90)-day-count necessary for the filing of the order of rulemaking.

If an agency decides to hold a public hearing after planning not to, it must withdraw the earlier notice and file a new notice of proposed rulemaking and schedule a hearing for a date not less than thirty (30) days from the date of publication of the new notice.

Proposed Amendment Text Reminder:

Boldface text indicates new matter.

[Bracketed text indicates matter being deleted.]

Title 9—DEPARTMENT OF MENTAL HEALTH Division 25—Fiscal Management Chapter 2—Purchase of Service Contracting

PROPOSED AMENDMENT

9 CSR 25-2.005 Definitions. The department proposes to revise section (2) by deleting some definitions and revising others and relettering definitions as necessary.

PURPOSE: *This amendment will delete procedural language as well as clarify and update language stating the requirements for processing a Request For Proposal (RFP).*

(2) Unless the context clearly requires otherwise, the following terms used in this chapter shall mean:

(D) *[Comparative]* **Competitive** evaluation, the process set out in this chapter where the department evaluates completed proposals

from responsive offerors to determine the best proposal(s) for the Department of Mental Health. Multiple contracts may be awarded in the best interest of the department;

[(E) Comparative negotiation, the process set out in this chapter, where the department evaluates a completed proposal from a responsive offeror with other proposals or existing arrangements in an area to determine the most desirable aspects of proposals submitted. The department then informs the responsive offerors of the desirable aspects and uses them as the basis for negotiating an award to one (1) or more offerors;]

[(F)] **(E)** Comprehensive array of services, for the Division of Comprehensive Psychiatric Services, it is the capacity of an agency to provide services, including mental health evaluation and assessment services, individual and group therapies, day treatment, medical services, administrative coordination, case management, information and education services and general access to or provision of inpatient care on both a scheduled and twenty-four (24)-hour-a-day basis; for the Division of Mental Retardation and Developmental Disabilities, it is the capacity of an agency to provide services including, but not limited to, assessment services, counseling, respite care, recreation, habilitation, training, vocational rehabilitation, residential care, homemaker services, developmental day care, sheltered workshops, referral to appropriate services, placement and transportation;

[(G)] **(F)** Contractual agreement, the document executed by a department official and the offeror selected as set out in this chapter to provide certain services to certain clients in a certain geographic area;

[(H)] **(G)** Department, the Department of Mental Health and its Divisions of Comprehensive Psychiatric Services, Mental Retardation and Developmental Disabilities, Alcohol and Drug Abuse and the department's designated staff;

(H) Multiple award, a contract or contracts awarded to two (2) or more offerors for services required to meet the needs of the department;

[(I)] Early intervention services, developmental services provided by qualified personnel to meet infant's or toddler's developmental needs in one (1) or more of the following areas: physical development, including vision and hearing; cognitive development; social or emotional development; social or emotional development or adaptive development. Early intervention services must be provided in conformity with an individualized family service plan (P.L. 102—119, Part H);]

(I) Noncompetitive negotiation, the noncompetitive procedure where the department establishes contracts with eligible service providers through direct negotiation, and a contract(s) is awarded in accordance with the fiscal and programmatic interests of the department.

[(J)] Evaluation of proposal, the examination of proposals after the proposal closing time and date to determine whether an offeror is responsible and responsive to the criteria stated in the RFP;]

[(K)] First Steps, an interagency program which provides coordinated, early intervention services and assistance for eligible children, birth to age three (0–3), who have delayed development or who have diagnosed conditions that are associated with development disabilities and their families. First Steps is the Missouri program in response to Part H of the Individuals With Disabilities Education Act Amendments of 1991 (P.L. 102—119);]

[(L)] Fiscal year, July 1 of one (1) year to June 30 of the following year for the department;]

[(M)] General provisions, standard clauses of a contractual agreement;]

[(N) Multiple award, contractual agreements awarded to more than one (1) offeror for comparable services at various prices if the award to a single provider would be impracticable to serve clients in a particular area;]

[(O) Noncompetitive negotiation, the process set out in this chapter where the Divisions of Comprehensive Psychiatric Services and Mental Retardation and Developmental Disabilities negotiate with eligible service providers. A contract(s) is awarded in accordance with the fiscal and programmatic interests of the department;]

[(P)] (J) Nonresponsive proposal, an [offeror's proposal which] offeror whose proposal does not conform to the mandatory or essential requirements of an RFP;

[(Q)] (K) Offeror, a provider or potential provider submitting a proposal in response to an RFP;

[(R) Preproposal conference, a meeting called by the department and held with prospective offerors after issuance of an RFP for explanation and clarification purposes;]

[(S)] (L) RFP, a request for a proposal developed by the department for solicitation of prospective offerors to provide certain services to clients according to certain criteria, terms and conditions specified by the department;

[(T)] (M) Responsive offeror, an offeror whose proposal [complies with the criteria, specifications and terms set out in and] does conform to the mandatory or essential requirements of the RFP; and

[(U) Service, any type of evaluation, transportation, prevention, care, treatment, habilitation or rehabilitation work for clients specified and purchased by the department from a provider as set out in this chapter;]

[(V)] (N) Solicitation, the process of notifying prospective offerors that the department seeks proposals to purchase certain services for clients in a certain area;].

[(W) Successful offeror, an offeror who receives an award after an evaluation of proposal;]

[(X) Unit price, the price of providing any service for a specific unit of measurement (for example, one (1) hour, one (1) mile);]

[(Y) Unsuccessful offeror, an offeror not selected by the department to receive an award for specified reasons; and]

[(Z) Weighted average unit price, the weighted price of designated categories of units of services proposed to be provided by an offeror in response to an RFP.]

AUTHORITY: sections 34.100, 630.050, **RSMo 2000** and 630.405, **RSMo [1986] Supp. 2002**. Original rule filed Oct. 16, 1986, effective July 13, 1987. Emergency amendment filed May 15, 1990, effective May 25, 1990, expired Sept. 21, 1990. Amended: Filed Aug. 1, 1990, effective Dec. 31, 1990. Emergency amendment filed July 7, 1992, effective July 17, 1992, expired Nov. 13, 1992. Amended: Filed July 7, 1992, effective Feb. 26, 1993. Amended: Filed June 30, 2003.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment by writing to Bob Tyree, Office of Administration, Department of Mental Health, PO Box 687, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.

Title 9—DEPARTMENT OF MENTAL HEALTH Division 25—Fiscal Management Chapter 2—Purchase of Service Contracting

PROPOSED AMENDMENT

9 CSR 25-2.105 Purchasing Client Services. The department proposes to amend sections (1), (3) and (4) and to delete sections (5) through (8).

PURPOSE: This amendment will delete procedural language as well as clarify and update language stating the requirements for processing a Request For Proposal (RFP).

(1) As set out in sections 34.100 and 630.405, RSMo, the commissioner of administration has delegated his/her authority to the department to purchase services [for department clients] from providers directly rather than through the division of purchasing of the Office of Administration. The commissioner delegates the authority by letter to the department director on a year-to-year basis. *[The department shall make immediately available to any interested person upon application a copy of any letter of delegation of authority at a cost not to exceed the actual cost of reproduction from the central office of the department, P.O. Box 687, Jefferson City, MO 65102.]*

(3) The noncompetitive negotiation procedure shall be used when the department director designates an affiliated community service provider [or when the service provider is providing early intervention services for children from birth through age four (0-4), including children eligible for First Steps].

(4) *[The department shall contract with designated affiliated community service providers after negotiating terms, for a period of one (1) year, with option for renewal at the department's discretion. Termination of the contract shall be for any cause defined in the contract or without cause upon sixty (60) days' notice.]* **The noncompetitive negotiation procedure shall be used to establish contracts for the Division of Mental Retardation and Developmental Disabilities' Purchase of Service programs.**

[(5) The department shall use comparative evaluation, comparative negotiation and noncompetitive negotiation procedures as set out in this chapter to purchase services from private and public providers for its clients with funds appropriated to the department for this purpose as set out in section 630.405, RSMo.]

[(6) The department shall develop and issue a request for a proposal (RFP) as set out in this chapter to solicit and select the providers to provide services to department clients under duly executed contractual agreements.]

[(7) Providers shall meet applicable licensure, accreditation or certification, requirements under state and federal law. Providers shall also comply with other applicable department rules and state and federal laws.]

[(8) The department shall issue contractual agreements after awards are made to offerors for a term corresponding to a current or the new fiscal year subject to service need, appropriations and available funds as determined by the department.]

(A) If so specified in the contractual agreement and RFP, the department, at its sole option, may offer to extend any contractual agreement for up to four (4) additional one (1)-year terms. In the fifth year of a contract, the department,

at its sole option, may extend the contractual agreement up to five (5) additional one (1)-year terms.

(B) Any contractual agreement, extension or option for renewal is contingent upon annual renewal of a delegation of authority from the commissioner of administration.

(C) If the department exercises the option to extend the terms, conditions and provisions of the initial contractual agreement, with duly executed amendments, shall remain in effect and apply during subsequent contractual agreement terms except that unit prices may be adjusted by the department consistent with department policy subject to appropriations and availability of funds.]

AUTHORITY: sections 34.100, 630.050, **RSMo 2000** and 630.405, **RSMo [2000] Supp. 2002**. Original rule filed Oct. 16, 1986, effective July 13, 1987. For intervening history, please consult the **Code of State Regulations**. Amended: Filed July 1, 2003.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment by writing to Bob Tyree, Office of Administration, Department of Mental Health, PO Box 687, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.

Title 9—DEPARTMENT OF MENTAL HEALTH Division 25—Fiscal Management Chapter 2—Purchase of Service Contracting

PROPOSED RESCISSION

9 CSR 25-2.205 Request for Proposal Development. This rule provided departmental procedures for developing requests for proposals from providers.

PURPOSE: The department is rescinding this rule because it establishes departmental procedures which are not appropriate subject matter for an administrative rule. The provisions of this rule will become part of a department operating regulation.

AUTHORITY: sections 34.100, 630.050 and 630.405, **RSMo 1986**. Original rule filed Oct. 16, 1986, effective July 13, 1987. Emergency amendment filed July 7, 1992, effective July 17, 1992, expired Nov. 13, 1992. Amended: Filed July 7, 1992, effective Feb. 26, 1993. Rescinded: Filed June 30, 2003.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission by writing to Bob Tyree, Office of Administration, Department of Mental Health, PO Box 687, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.

Title 9—DEPARTMENT OF MENTAL HEALTH Division 25—Fiscal Management Chapter 2—Purchase of Service Contracting

PROPOSED AMENDMENT

9 CSR 25-2.305 Request for Proposal Solicitation Procedures. The department proposes to amend provisions under sections (2), (3), (4), (6), (7), (10) and (11), to add new provisions under (5), (8), (9) and (12), and renumber sections as needed.

PURPOSE: This amendment deletes procedural language as well as clarifies and updates language stating the requirements for processing a Request For Proposal (RFP).

(2) The department shall post notices of the availability of the RFPs in the [purchase of service bureau] in the department's central office contracts unit. The department shall mail or otherwise distribute the RFPs or notices of the availability of the RFPs. [to all interested providers and recognized competitive bidders in a geographic area to secure comparative evaluation or comparative negotiation between more than one (1) offeror if possible (that is, in some areas only one (1) offeror can be found). Notices of availability shall indicate where, when and for how long the RFPs may be obtained and shall generally describe the services to be purchased.]

(A) If a purchase involves the estimated expenditure of more than twenty-five thousand dollars (\$25,000), the department shall advertise the notice of availability of the RFP in two (2) newspapers of general circulation. [It may also advertise in a newspaper of local circulation] in the geographic area where the services are to be provided or in places as are most likely to reach prospective sources.

[(B) [If a purchase involves the estimated expenditure of twenty-five thousand dollars (\$25,000) or less, the department may distribute the RFPs without advertising.]

[(C)] (B) The department shall make a copy of each RFP available for public inspection at the [office of its purchase of service bureau] department's central office contracts unit.

[(3) The department may conduct a preproposal conference as it deems necessary to clarify any terms and conditions of an RFP, explain any criteria in the RFP or otherwise to respond to questions from prospective offerors who have received the RFPs. The department shall schedule the conference between the RFP issuance date and the proposal closing date, but as close to the original date of mailing as possible, to allow offerors time to consider any information presented in the preparation of their proposal. If the department decides to change the RFP as a result of a preproposal conference, the change shall not become official until the RFP is amended and communicated in writing. The department shall notify prospective offerors known to have received an RFP of any such amendments.]

[(4)] (3) The department may issue amendments for any modification(s) of the RFP. The department shall plainly mark any RFP amendment as such and shall reference the portions of the RFP it amends. [The department may issue amendments for any minor modification(s) of the RFP; however, the department shall rescind the RFP and reissue it for any major modification(s) as determined by the department.] The offeror shall acknowledge receipt of any amendments issued in its proposal. [The department shall distribute amendments within a reasonable time so that the prospective offeror might consider them in preparing its proposal. If the department determines that the proposal closing time and date would not permit adequate

preparation, the department shall extend the proposal closing time and date in the amendment and, if necessary, by telephone or other means of communication with confirmation in the amendment notice.]

[(5)] (4) Offerors may modify or withdraw proposals in writing in a notice to the department at the location designated in the RFP before the proposal closing time and date. The department shall keep any modification or withdrawal documentation in the RFP file.

(5) When the procurement requires the utilization of competitive evaluation, the formal RFP solicitation method should be utilized.

(A) Proposals should be received in a sealed container by the time set forth for the opening of the proposals.

(B) Proposals received after the time set forth for the opening of proposals shall be considered late and will not be opened.

(C) Under extraordinary circumstances, the department may authorize the opening of a late proposal. In such cases, the proposal must have been turned over to the physical control of an independent postal or courier service with promised delivery time prior to the time set forth for the opening of the proposals. All such decisions are at the sole discretion of the department. The following guidelines may be utilized to determine the criteria for an extraordinary circumstance:

1. State offices were closed due to inclement weather conditions;

2. Postal or courier services were delayed due to labor strikes or unforeseen "Acts of God"; and

3. Postal or courier service did not meet delivery time promised to the offeror. In such case, the offeror must provide written proof that the promised delivery time was prior to the time set forth for the opening of the proposals.

(D) Proposals received in response to an RFP shall not be available for public review until after a contract is executed or all proposals are rejected.

[(6)] Any proposal received after the proposal closing time and date is nonresponsive and shall not be considered. No proposal may be withdrawn or modified after the proposal closing time and date. No late proposal, late modification(s) or late withdrawal will be considered unless received before contract award and the proposal, modification(s) or withdrawal would have been timely except for the action or inaction of the department.]

[(A)] The department shall notify offerors submitting late proposals that they were not considered for award and shall return their proposals unopened.]

[(B)] (6) The department shall keep records of each late proposal, modification(s) or withdrawal in the RFP file.

[(7)] The department shall electrically time-stamp each proposal, modification(s) or withdrawal indicating the time and date received. The department shall store each proposal unopened in a secure place until the proposal closing time and date.]

[(8)] (7) The department shall open proposals and modifications publicly [, in the presence of one (1) or more witnesses besides the responsible department staff at the proposal closing time, date and place designated in the RFP. The department shall read aloud the name of each offeror, the unit price for each service and other information as is deemed appropriate. The department shall record a proposal abstract at the time of proposal closing and the names and addresses of witnesses in attendance at the opening] at the time and date as specified in the RFP.

(8) In the event the department receives a container which is not identifiable as a specific proposal, an authorized person within the department may open the container to determine its contents. If the contents are determined to be a proposal, the container will be resealed and the solicitation number, opening date, and time will be noted on the outside. The container will then be filed until the official time for opening.

[(9)] [The department shall keep any proposals timely received available for public inspection except to the extent the offeror designates any proprietary data to be confidential information as described in section 610.025, RSMo. The offeror shall specifically identify and make the confidential information readily separable in the proposal. The department shall maintain confidential information separately to facilitate public inspection of the nonconfidential portion. The unit price of any service offered and the terms of payment shall be publicly available at the time of proposal opening regardless of any designation to the contrary that this information is confidential.] After the proposal opening, an offeror may be permitted to withdraw a proposal prior to award at the sole discretion of the department, if there is a verifiable error in the proposal, and enforcement of the proposal would impose an unconscionable hardship on the offeror. The withdrawal will be considered only after receipt of a written request and supporting documentation from the offeror. Withdrawal shall be the offeror's sole remedy for an error other than an obvious clerical error.

[(10)] The department may allow a correction or withdrawal of a proposal because of a mistake in an RFP if the integrity of the comparative negotiation or comparative evaluation process is protected and the correction or withdrawal would not give an offeror an unfair advantage as determined by the department. An offeror may correct mistakes discovered before the proposal closing time and date by withdrawing or modifying the proposal.]

[(11)] (10) If mistakes in proposals are discovered after the proposal closing time and date but before award, the following procedures shall apply[:].

[(A)] As to] The department may allow the offeror to correct minor informalities which are matters of form rather than substance or insignificant mistakes correctable without unfair advantage to the offeror. [, the department shall waive or allow the offeror to correct the mistake if considered by the department to be in its best interest. A minor informality can only result if the effect of correcting it is negligible on offeror responsiveness. Examples of minor informalities include failures of offerors:

1. To return the number of signed proposals required by the RFP;

2. To sign the proposals but only if the unsigned proposals are accompanied by materials otherwise indicating the offerors' intent to be bound; and

3. To acknowledge receipt of amendments to the RFPs, but only if either clear from the proposal that the offeror received the amendment and intended to be bound by its terms or the amendment had only a negligible effect on price, quantity, quality or delivery;

(B) As to any mistake obvious on the face of the proposal, the department shall correct the mistake if the intention is clearly evident on the face of the proposal document as determined by the department. These types of mistakes include typographical errors, errors in extending unit prices, transposition errors and calculation errors; and

(C) As to mistakes for which the intended correct proposal is not evident, the department may permit the offeror to

withdraw a proposal if the department determines either of the following:

1. *The mistake is clearly evident to the department on the face of the proposal document but the intended proposal is not similarly evident; and*

2. *The offeror submits evidence which clearly and convincingly determines that a mistake has been made.]*

[(12) The department shall not allow mistakes to be corrected after award unless the department determines in writing that it would be unconscionable not to allow the mistake to be corrected.]

[(13)] (11) The department shall issue a determination in writing granting or denying requests to [correct] modify or withdraw proposals because of a mistake.

(12) Contracts awarded as a result of a competitive solicitation may be amended when such an amendment is in the best interest of the department and does not significantly alter the original intent or scope of the contract.

AUTHORITY: sections 34.100, 630.050, RSMo 2000 and 630.405, RSMo [2000] Supp. 2002. Original rule filed Oct. 16, 1986, effective July 13, 1987. Emergency amendment filed July 7, 1992, effective July 17, 1992, expired Nov. 13, 1992. Amended: Filed July 7, 1992, effective Feb. 26, 1993. Amended: Filed Oct. 31, 2000, effective May 30, 2001. Amended: Filed June 30, 2003.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment by writing to Bob Tyree, Office of Administration, Department of Mental Health, PO Box 687, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 9—DEPARTMENT OF MENTAL HEALTH
Division 25—Fiscal Management
Chapter 2—Purchase of Service Contracting**

PROPOSED AMENDMENT

9 CSR 25-2.405 RFP Evaluation and Award. The department proposes to amend section (1), delete sections (3)–(9) and add new sections (3)–(5).

PURPOSE: This amendment will delete procedural language as well as clarify and update language stating the requirements for processing a Request For Proposal (RFP).

(1) All proposals received *[before]* by the closing time and date shall be reviewed by the department.

[(3) When the request for proposal stipulates the procurement procedure to be noncompetitive negotiation, the following procedures shall be taken:

(A) A negotiation officer/team shall conduct negotiations, as appropriate to price, scope of work and needed services;

(B) The negotiation officer/team should make a list of specific objectives relating to price, performance standards and other conditions in preparation of the negotiations;

(C) The negotiation officer/team and the offeror shall negotiate the items specified as the specific objectives;

(D) A record of services procured through the noncompetitive negotiation procedures shall be maintained that lists—

1. Each contractor's name;

2. The amount and location of each contract; and

3. The services procured under each contract; and

(E) Should the department be unable to negotiate an acceptable contract, other offerors may be solicited by any procurement method allowed by this rule.]

[(4) When the request for proposal stipulates the procurement procedure to be comparative negotiation, the following procedures shall be taken:

(A) If one (1) proposal is received from a responsive offeror, the department shall evaluate it to determine the award. The department may give the offeror an opportunity to revise the proposal if any proposal elements are not acceptable by the department or are contrary to the RFP and do not negate the competitive process. The department shall evaluate the unit price(s) by comparing it with the average unit prices the department currently pays or has previously paid for the services in the area;

(B) If only two (2) proposals are received, the department shall also evaluate the weighted average unit prices by comparing each proposal and the average unit prices the department currently pays or has previously paid for the services in the area;

(C) If more than two (2) proposals from responsive offerors are received offering to provide the same services in a geographic area specified in an RFP, the department shall determine if any of the proposals contain desirable elements not specified in the RFP. Where a change in the RFP results, the department shall inform the responsive offerors of the change in desirable elements. Where a change has resulted, each responsive offeror may submit a revised and final proposal based upon the original RFP and the subsequent list of desirable elements for reevaluation; and

(D) If three (3) or more proposals are received, the department shall evaluate weighted average unit price by comparing the average unit prices from the responsive offerors.]

[(5) When the request for proposal stipulates the procurement procedure to be comparative evaluation, the resulting contract shall be awarded to the best proposal to the department. After determining responsiveness, all proposals will be evaluated in accordance with the evaluation categories, respective weight criteria or method of evaluation as listed in the RFP. For alcohol and drug abuse services, the department may conduct negotiations with the responsive offerors as described in the RFP. If negotiations are conducted for alcohol and drug abuse services, the negotiation proceedings shall be public.]

[(6) An award or multiple awards shall be selected by the department based on the lowest and best proposal(s). If the department chooses not to select any proposal submitted in response to any RFP, the department shall issue another RFP or shall forego purchasing the particular service(s) in the area.]

[(7) The department reserves the right to make multiple awards when a single provider is unable to meet the units of service required geographically and other factors considered.

RFP criteria, service quantity, scope of work, and the like, will determine the possibility of multiple awards. A record showing the basis for determining the successful offerors shall be made a part of the procurement file.]

[(8) The evaluation committee or individual designated to evaluate the proposals shall recommend award to the contracts' coordinator for review and recommendation to the director of the division, or designee, for which the services are to be purchased. If the division approves the award, the purchase of service unit shall forward the contract to the deputy director of administration (mental health) for signature. Upon signature by the deputy director of administration (mental health), the contract is final.]

[(9) The department shall make the notice of award available to the public.]

(3) The department may negotiate with responsive offerors as described in the RFP.

(4) The department reserves the right to make multiple awards.

(5) After an award is made, the solicitation file and notice of award shall be made available to the public for inspections at any time during regular working hours.

AUTHORITY: sections 34.100, 630.050, RSMo 2000 and 630.405, RSMo [1986] Supp. 2002. Original rule filed Oct. 16, 1986, effective July 13, 1987. Emergency amendment filed May 15, 1990, effective May 25, 1990, expired Sept. 21, 1990. Amended: Filed Aug. 14, 1990, effective March 14, 1991. Emergency amendment filed July 7, 1992, effective July 17, 1992, expired Nov. 13, 1992. Amended: Filed July 7, 1992, effective Feb. 26, 1993. Amended: Filed June 30, 2003.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment by writing to Bob Tyree, Office of Administration, Department of Mental Health, PO Box 687, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 9—DEPARTMENT OF MENTAL HEALTH

Division 30—Certification Standards

Chapter 3—Alcohol and Drug Abuse Programs

PROPOSED AMENDMENT

9 CSR 30-3.132 Opioid Treatment Program. The department proposes to amend sections (4), (9), (12) and (13).

PURPOSE: This amendment makes the language in the rule consistent with federal guidelines on Opioid Treatment Programs.

(4) Services. The program shall provide a range of treatment and rehabilitation services to address the therapeutic needs of persons served.

(A) Services shall include:

1. Individual counseling, group education, and counseling, family therapy, community support;

2. Medical evaluations; *[and]*

3. Use of methadone for medically supervised withdrawal from narcotics and for ongoing opioid treatment.

A. Medically supervised withdrawal means the dispensing of methadone in decreasing doses to an individual in order to alleviate adverse physiological or psychological effects incidental to withdrawal from the continuous or sustained use of narcotics and in order to bring the individual to a drug-free state within a one hundred eighty (180)-day time period.

B. Ongoing opioid treatment means the dispensing of methadone for more than one hundred eighty (180) days in the treatment of an individual for dependence on heroin or other morphine-like drug.*./*; **and**

4. Medical director shall insure that dosage is appropriate to the patient's need.

(C) The program shall offer services at least six (6) days per week. Services shall be available during early morning or evening so that clients who are employed or otherwise involved in productive, daily activities can access services.

(D) Programs in the same geographical area shall work together to maximize hours of operation and treatment accessibility.

(9) Program Rules. In order to remain in the program and to successfully progress through the phases of treatment and rehabilitation, a client shall demonstrate progress and shall comply with program rules.

(A) An infraction of program rules by a client may result in administrative *[detoxification withdrawal]* **medical withdrawal** from methadone and termination from the program.

(D) Administrative medical withdrawal shall be scheduled in such a way as to minimize the psychological and physical effects of such withdrawal. Administrative medical withdrawal shall be completed in a manner appropriate to the client's level of medication and the circumstances justifying such action. Programs may facilitate a transfer to another program or referral to a medical facility in lieu of administrative medical withdrawal.

(12) *[Urine]* Drug Testing. The program shall use *[urinalysis]* **drug** testing as a performance measure and as a clinical tool for the purpose of diagnosis and treatment planning.

(A) Each *[urine]* sample shall be analyzed for opiates, methadone, amphetamines, cocaine, barbiturates, and benzodiazepines. Testing shall include other drugs as may be indicated by a client's use patterns. In addition, if any other drug or drugs have been determined by a program to be abused in that program's locality, or as otherwise indicated, each test or analysis must include any such drugs.

(13) Take-Home Doses. The program shall implement practices in accordance with the principle that take-home doses of methadone is a privilege given only to those individuals who will benefit from it and who have demonstrated responsibility in taking methadone as prescribed.

(D) The program shall have policies that address the responsibilities of patients granted take-home medications. The policies shall include methods of assuring client's appropriate use and storage of medication.

(E) The program shall have policies in place addressing the return of take-home bottles. Policies shall include bottles returned with labels intact and consequences of unreturned bottles.

[(D)](F) Regardless of time in treatment, the medical director, in his/her reasonable judgment, may deny or rescind the take-home medication privileges of a client.

AUTHORITY: sections 630.655 and 631.102, RSMo 2000. This rule originally filed as 9 CSR 30-3.610. Original rule filed May 13, 1983,

effective Sept. 13, 1983. For intervening history, please consult the *Code of State Regulations*. Amended: Filed July 1, 2003.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment by writing to Dewey Price, Mental Health Manager, Division of Alcohol and Drug Abuse, Department of Mental Health, PO Box 687, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 13—Hearings**

PROPOSED AMENDMENT

11 CSR 45-13.010 All Types of Hearings. The commission is amending section (1).

PURPOSE: The commission proposes to amend section (1) of this rule to identify the petitioner in all commission hearings.

(1) The rules contained in this chapter shall govern all hearings of the commission. **In all hearings before the commission, the applicant or licensee shall be the petitioner.**

AUTHORITY: sections 313.004, 313.052, **313.065**, 313.560, 313.800 and 313.805, RSMo [1994] 2000. Emergency rule filed Sept. 1, 1993, effective Sept. 20, 1993, expired Jan. 17, 1994. Emergency rule filed Jan. 5, 1994, effective Jan. 18, 1994, expired Jan. 30, 1994. Original rule filed Sept. 1, 1993, effective Jan. 31, 1994. Emergency amendment filed Dec. 12, 1997, effective Dec. 22, 1997, expired June 19, 1998. Amended: Filed Dec. 12, 1997, effective July 30, 1998. Amended: Filed June 30, 2003.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Gaming Commission, PO Box 1847, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. A public hearing is scheduled for 10:00 a.m., September 3, 2003, in the Missouri Gaming Commission hearing room, 3417 Knipp Drive, Jefferson City, Missouri.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 13—Hearings**

PROPOSED AMENDMENT

11 CSR 45-13.020 Hearing Officer. The commission proposes to add section (5).

PURPOSE: This amendment authorizes the commissioners to conduct hearings without using a hearing officer.

(5) Notwithstanding the foregoing, the commission may by majority vote designate one (1) or more gaming commissioners to act as a hearing officer and conduct any hearing over which the commission has jurisdiction.

AUTHORITY: sections 313.004, 313.052, **313.065**, 313.560, 313.800 and 313.805, RSMo [1994] 2000. Emergency rule filed Sept. 1, 1993, effective Sept. 20, 1993, expired Jan. 17, 1994. Emergency rule filed Jan. 5, 1994, effective Jan. 18, 1994, expired Jan. 30, 1994. Original rule filed Sept. 1, 1993, effective Jan. 31, 1994. Emergency amendment filed Dec. 12, 1997, effective Dec. 22, 1997, expired June 19, 1998. Amended: Filed Dec. 12, 1997, effective July 30, 1998. Amended: Filed June 30, 2003.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Gaming Commission, PO Box 1847, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. A public hearing is scheduled for 10:00 a.m., September 3, 2003, in the Missouri Gaming Commission hearing room, 3417 Knipp Drive, Jefferson City, Missouri.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 13—Hearings**

PROPOSED AMENDMENT

11 CSR 45-13.030 Requests for Hearings. The commission is amending section (2) and renumbering section (4) as section (3).

PURPOSE: This amendment clarifies that the time period to submit a request for hearing commences with the date of mailing a notice of commission action.

(2) A request for hearing must be submitted within thirty (30) days [after service] from the date of mailing by the commission of the decision or issue about which the petitioner requests a hearing.

[[4]] (3) The petitioner shall be served with written notice of the time and place of hearing by—

- (A) Personal delivery;
- (B) Certified mail, postage prepaid; or
- (C) Overnight express mail, postage prepaid.

AUTHORITY: sections 313.004, 313.052, **313.065**, 313.560, 313.800 and 313.805, RSMo [1994] 2000. Emergency rule filed Sept. 1, 1993, effective Sept. 20, 1993, expired Jan. 17, 1994. Emergency rule filed Jan. 5, 1994, effective Jan. 18, 1994, expired Jan. 30, 1994. Original rule filed Sept. 1, 1993, effective Jan. 31, 1994. Emergency amendment filed Dec. 12, 1997, effective Dec. 22, 1997,

expired June 19, 1998. Amended: Filed Dec. 12, 1997, effective July 30, 1998. Amended: Filed June 30, 2003.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Gaming Commission, PO Box 1847, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. A public hearing is scheduled for 10:00 a.m., September 3, 2003, in the Missouri Gaming Commission hearing room, 3417 Knipp Drive, Jefferson City, Missouri.

Title 11—DEPARTMENT OF PUBLIC SAFETY Division 45—Missouri Gaming Commission Chapter 13—Hearings

PROPOSED RULE

11 CSR 45-13.045 Suitability Hearings for Gaming Applicants and Exclusion Hearings

PURPOSE: This rule authorizes hearings for applicants found to be unsuitable for licensing and persons placed on an exclusion list.

(1) A person whose application for a gaming license has not been granted for failing to establish suitability to hold a license or who has been placed on an exclusion list pursuant to 11 CSR 45-15.040(1) may request a hearing under this chapter.

(2) The commission may authorize the director to investigate and make the initial finding of unsuitability with regard to any applicant for or holder of a license of the type that may be issued by the director pursuant to 11 CSR 45-4.260(1).

(3) Whenever the commission finds an applicant unsuitable for licensing, the commission shall send a written letter to the applicant outlining the reasons for the finding, including both the applicable criteria for suitability that the applicant has established and those criteria that the applicant has failed to establish. This letter shall be sent certified mail, return receipt requested or by personal delivery. Within thirty (30) days from the date of mailing, the licensee shall file a request for hearing by serving it on the director. If a request for hearing is not filed, the letter shall become a final order of the commission.

AUTHORITY: sections 313.004, 313.560, 313.800 and 313.805, RSMo 2000. Original rule filed June 30, 2003.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Missouri Gaming Commission, PO Box 1847, Jefferson City, MO 65102. To be considered, comments must

be received within thirty (30) days after publication of this notice in the *Missouri Register*. A public hearing is scheduled for 10:00 a.m., September 3, 2003, in the Missouri Gaming Commission hearing room, 3417 Knipp Drive, Jefferson City, Missouri.

Title 11—DEPARTMENT OF PUBLIC SAFETY Division 45—Missouri Gaming Commission Chapter 13—Hearings

PROPOSED AMENDMENT

11 CSR 45-13.050 Disciplinary Action Against Gaming Licensees. The commission is amending sections (1) and (2), deleting sections (4) and (6) and renumbering and amending section (5).

PURPOSE: This amendment provides for disciplinary action against gaming licensees.

(1) When notified of facts sufficient to support disciplinary action against a **gaming** licensee under the applicable statutes or rules, the commission may propose disciplinary action against a licensee. If the commission proposes disciplinary action, it shall notify the licensee of the disciplinary action proposed *[. Notification shall be]* by certified mail, *[. Included]* **including** with the notification *[shall be]* a proposed order for disciplinary action.

(2) The proposed order shall include a statement of facts supporting the disciplinary action, *[and]* the rule or statutory section *[with violation of which]* the licensee is being charged **with violating** and **the** penalty proposed. The proposed order shall be accompanied by a certificate of service demonstrating the date of service.

[(4) Whenever the commission finds an applicant unsuitable for licensing, the commission shall send a written letter to the applicant outlining the reasons for the finding. This letter shall be sent certified mail, return receipt requested or by personal delivery. Within thirty (30) days from the date of the mailing, the licensee shall file his/her/its request for hearing by serving it on the director. If a request for hearing is not filed, the denial shall become a final order of the commission.]

[(5)] (4) The commission may authorize the director to investigate and *[make the initial finding of unsuitability or]* to issue a proposed order for disciplinary action with regard to any applicant for or holder of a license of the type that may be issued by the director **pursuant to 11 CSR 45-4.260(1)**. *[and with regard to any bingo licensee. If the director takes such action, s/he shall notify the commission and provide to the commission a copy of the letter regarding unsuitability or the proposed order for disciplinary action.]*

[(6) In all disciplinary actions and licensing hearings, the applicant or licensee shall be the petitioner.]

AUTHORITY: sections 313.004, *[313.052,]* 313.560, 313.800 and 313.805, RSMo *[1994]* **2000**. Emergency rule filed Sept. 1, 1993, effective Sept. 20, 1993, expired Jan. 17, 1994. Emergency rule filed Jan. 5, 1994, effective Jan. 18, 1994, expired Jan. 30, 1994. Original rule filed Sept. 1, 1993, effective Jan. 31, 1994. Amended: Filed Dec. 7, 1995, effective June 30, 1996. Amended: Filed Aug. 30, 1996, effective April 30, 1997. Emergency amendment filed Dec. 12, 1997, effective Dec. 22, 1997, expired June 19, 1998. Amended: Filed Dec. 12, 1997, effective July 30, 1998. Amended: Filed March 1, 1999, effective Oct. 30, 1999. Amended: Filed June 30, 2003.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Gaming Commission, PO Box 1847, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. A public hearing is scheduled for 10:00 a.m., September 3, 2003, in the Missouri Gaming Commission hearing room, 3417 Knipp Drive, Jefferson City, Missouri.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 13—Hearings**

PROPOSED RULE

11 CSR 45-13.051 Bingo Hearings

PURPOSE: This rule sets forth procedures for hearings related to bingo applicants and licensees.

(1) A person whose application for a bingo license has not been granted for failing to establish suitability to hold a license or against whom a disciplinary action has been initiated may request a hearing under this chapter.

(2) The commission may authorize the director to investigate and make the initial finding of unsuitability or to issue a proposed order for disciplinary action with regard to any applicant for or holder of a license of the type that may be issued by the director pursuant to 11 CSR 45-30.065(3).

(3) Whenever the commission finds an applicant unsuitable for licensing, the commission shall send a written letter to the applicant outlining the reasons for the finding. This letter shall be sent certified mail, return receipt requested or by personal delivery.

(4) When notified of facts sufficient to support disciplinary action against a bingo licensee under the applicable statutes or rules, the commission may propose disciplinary action against a licensee. If the commission proposes disciplinary action, it shall notify the licensee of the disciplinary action proposed by certified mail.

(5) Any licensee who receives a notice of commission action shall have thirty (30) days to respond in writing to the commission. The licensee may accept the proposed action, request a hearing on the proposed action before the Missouri Administrative Hearing Commission (AHC), or waive a hearing before the AHC and request a hearing before a commission hearing officer regarding the amount or nature of any discipline to be imposed or other proposed action. If the licensee fails to respond to the notice of commission action within thirty (30) days or if the licensee requests a hearing before the AHC, the commission shall file a complaint on the proposed action with the AHC for a hearing as set forth in Chapter 621, RSMo.

(6) If the AHC does not find a factual basis to support the notice of commission action, the matter will be dismissed and no action will be taken against the licensee.

(7) If the AHC finds a factual basis to support the notice of commission action or accepts a waiver of hearing from the licensee, the case will be returned to the commission to determine and impose the appropriate discipline or other action.

(A) Upon receiving the case from the AHC, the commission will send information in writing by certified mail to the licensee stating that the proposed notice of commission action will be imposed against the licensee. The letter will provide the licensee thirty (30) days to file a request for hearing with the commission concerning the amount or severity of the discipline or other action.

(B) If the licensee does not file a request for hearing within thirty (30) days, the notice of commission action will be submitted to the commission for approval.

(C) If the licensee requests a hearing, a hearing will be conducted before a commission hearing officer regarding the appropriateness of the penalty to be assessed. The hearing officer shall make a recommendation of discipline or other action to the commission.

AUTHORITY: sections 313.004, 313.015, 313.052 and 313.065, RSMo 2000. Original rule filed June 30, 2003.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Missouri Gaming Commission, PO Box 1847, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. A public hearing is scheduled for 10:00 a.m., September 3, 2003, in the Missouri Gaming Commission hearing room, 3417 Knipp Drive, Jefferson City, Missouri.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 13—Hearings**

PROPOSED AMENDMENT

11 CSR 45-13.060 Proceedings. The commission is amending section (4), deleting sections (5), (6), (7) and (9), renumbering sections (8), (10) and (11), and adding a new section (8).

PURPOSE: This amendment makes changes to hearing procedures and authorizes a finding against the petitioner for failure to appear.

(4) Both parties may present an opening statement on the merits. Petitioner proceeds first **to present evidence, except in the case of disciplinary actions against gaming licensees, in which case the commission shall present evidence first. The hearing officer shall then hear evidence from the other party and any evidence in rebuttal.**

[(5) The petitioner shall then present its case-in-chief.]

[(6) Upon conclusion of the petitioner's case-in-chief, the respondent may move for a directed finding. The hearing officer may hear arguments on the motion or may grant, deny or reserve decision on the motion, without argument.]

[(7) If no motion for directed finding is made, or if the motion is denied or decision reserved on the motion, the respondent may present its case.]

[(8)] (5) Each party may conduct cross-examination of adverse witnesses.

[(9) Upon conclusion of the respondent's case, the petitioner may present evidence in rebuttal.]

[(10)] (6) Both parties may present closing argument. [The petitioner proceeds first, then the respondent and after that the petitioner may present rebuttal argument.] The party who presented evidence first shall argue first, then the other party, followed by any rebuttal argument.

[(11)] (7) The parties may request, or the hearing officer may require, that the parties submit briefs.

(8) Failure of the petitioner to appear at the hearing shall constitute an admission of all matters and facts alleged by the commission in its notice of commission action and a waiver of the petitioner's rights to a hearing, but the commission in its discretion may nevertheless order a hearing.

AUTHORITY: sections 313.004, 313.052, 313.065, 313.560, 313.800 and 313.805, RSMo [1994] 2000. Emergency rule filed Sept. 1, 1993, effective Sept. 20, 1993, expired Jan. 17, 1994. Emergency rule filed Jan. 5, 1994, effective Jan. 18, 1994, expired Jan. 30, 1994. Original rule filed Sept. 1, 1993, effective Jan. 31, 1994. Emergency amendment filed Dec. 12, 1997, effective Dec. 22, 1997, expired June 19, 1998. Amended: Filed Dec. 12, 1997, effective July 30, 1998. Amended: Filed June 30, 2003.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Gaming Commission, PO Box 1847, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. A public hearing is scheduled for 10:00 a.m., September 3, 2003, in the Missouri Gaming Commission hearing room, 3417 Knipp Drive, Jefferson City, Missouri.

Title 11—DEPARTMENT OF PUBLIC SAFETY

Division 45—Missouri Gaming Commission

Chapter 13—Hearings

PROPOSED AMENDMENT

11 CSR 45-13.070 Transmittal of Record and Recommendation to the Commission. The commission is amending sections (1), (3) and (4).

PURPOSE: This amendment describes the contents of the official record, provides for notice to the petitioner of the hearing officer's findings, authorizes comments by the parties to those findings, and provides the commission the discretion to require oral argument.

(1) The record shall consist of the following:

(A) The commission's notice to petitioner, the Request for Hearing and all motions and rulings on the Request *[of]* for Hearing;

(D) Offers of proof, objections and ruling on them; *[and]*

(E) All pleadings filed by either party;

(F) The transcript of the hearing;

(G) All briefs filed by either party;

(H) A proposed resolution approving the recommendations of the hearing officer;

(I) Any objections filed by either party to the hearing officer's written findings of fact, conclusions of law and recommendations; and

[(E)] (J) The recommendations and any findings of fact and conclusions of law made by the hearing officer.

(3) Upon conclusion of the hearing, the hearing officer shall issue to the commission **and the petitioner** written *[F]*findings of *[F]*fact and *[C]*conclusions of *[L]*law and his/her recommendations **at least twenty (20) days prior to the public meeting at which the case is to be considered by the commission.** Findings of *[F]*fact shall be based exclusively on the evidence and on matters officially noticed. The parties may file written objections or comments with the commission to the proposed findings of fact, conclusions of law and recommendations issued by the hearing officer at least ten (10) days prior to the public meeting at which the case is to be considered by the commission.

(4) Final Commission Order.

(A) The commission shall review the entire record and shall render a written decision on the merits which shall contain findings of fact and conclusions of law, and after that will issue a final Commission Order. *[The commission may adopt the findings of fact and conclusions of law issued by the hearing officer.]* The commission may require at its discretion that the parties present oral argument before the commission. The commission may take any of the following actions:

1. The commission may adopt the findings of fact, conclusions of law and recommendations of the hearing officer as its final Commission Order;

2. The commission may modify the findings of fact, conclusions of law and recommendations submitted by the hearing officer;

3. The commission may dissolve the findings of fact, conclusions of law and recommendations submitted by the hearing officer; or

4. The commission may remand the matter, with instructions, to the hearing officer for further proceedings.

AUTHORITY: sections 313.004, 313.052, 313.065, 313.560, 313.800 and 313.805, RSMo 2000. Emergency rule filed Sept. 1, 1993, effective Sept. 20, 1993, expired Jan. 17, 1994. Emergency rule filed Jan. 5, 1994, effective Jan. 18, 1994, expired Jan. 30, 1994. Original rule filed Sept. 1, 1993, effective Jan. 31, 1994. Emergency amendment filed Dec. 12, 1997, effective Dec. 22, 1997, expired June 19, 1998. Amended: Filed Dec. 12, 1997, effective July 30, 1998. Amended: Filed Dec. 7, 2001, effective June 30, 2002. Amended: Filed June 30, 2003.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Gaming Commission,

PO Box 1847, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. A public hearing is scheduled for 10:00 a.m., September 3, 2003, in the Missouri Gaming Commission hearing room, 3417 Knipp Drive, Jefferson City, Missouri.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 13—Hearings**

PROPOSED RULE

11 CSR 45-13.080 Prohibition on Ex Parte Communications

PURPOSE: This rule prohibits ex parte contacts between the parties and a hearing officer.

(1) A party or its representative shall not communicate directly or indirectly with the hearing officer regarding any pending matter, except upon notice and opportunity for all parties to participate.

(2) The prohibition on ex parte communications commences with the filing of a request for hearing pursuant to 11 CSR 45-13.030.

(3) Communications with the hearing officer involving scheduling or uncontested procedural matters do not require notice or the opportunity for parties to participate. Parties should notify other parties prior to initiating such contact with the hearing officer when feasible, and shall notify other parties when seeking to continue hearings or extend other deadlines.

(4) The hearing officer may recommend sanctions and penalties if the hearing officer determines that a party has violated this rule. Such sanctions and penalties include, but are not limited to, censure, default judgment, or a directed finding on one (1) or more issues.

AUTHORITY: sections 313.004, 313.065, 313.560, 313.800 and 313.805, RSMo 2000. Original rule filed June 30, 2003.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Missouri Gaming Commission, PO Box 1847, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. A public hearing is scheduled for 10:00 a.m., September 3, 2003, in the Missouri Gaming Commission hearing room, 3417 Knipp Drive, Jefferson City, Missouri.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 3—State Sales Tax**

PROPOSED RESCISSION

12 CSR 10-3.036 Sales Made by Employers to Employees. This rule interpreted the sales tax law as it applied to sales made by employers to employees and interpreted and applied section 144.020, RSMo.

PURPOSE: This rule is being rescinded because it is superseded by other rules.

AUTHORITY: section 144.270, RSMo 1994. This rule was previously filed as rule no. 43 Jan. 22, 1973, effective Feb. 1, 1973. S.T. regulation 010-4 was last filed Dec. 31, 1975, effective Jan. 10, 1976. Refiled March 30, 1976. Amended: Filed Aug. 13, 1980, effective Jan. 1, 1981. Rescinded: Filed June 30, 2003.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Department of Revenue, Office of Legislation and Regulations, PO Box 629, Jefferson City, MO 65105. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 3—State Sales Tax**

PROPOSED RESCISSION

12 CSR 10-3.046 Caterers and Mandatory Gratuities. This rule interpreted the sales tax law as it applied to caterers and mandatory gratuities, and interpreted and applied section 144.010, RSMo.

PURPOSE: This rule is being rescinded because it is superseded by other rules.

AUTHORITY: section 144.270, RSMo 1994. S.T. regulation 010-19 was last filed Dec. 31, 1975, effective Jan. 10, 1976. Refiled March 30, 1976. Amended: Filed Aug. 13, 1980, effective Jan. 1, 1981. Amended: Filed Sept. 7, 1984, effective Jan. 12, 1985. Rescinded: Filed June 30, 2003.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Department of Revenue, Office of Legislation and Regulations, PO Box 629, Jefferson City, MO 65105. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 3—State Sales Tax**

PROPOSED RESCISSION

12 CSR 10-3.120 Food Stamps and W.I.C. (Women, Infants and Children) Vouchers. This rule interpreted the sales tax law as it applied to food stamps and interpreted and applied sections 144.010 and 144.021, RSMo.

PURPOSE: This rule is being rescinded because it is superseded by other rules.

AUTHORITY: section 144.270, RSMo 1994. S.T. regulation 010-53 was last filed Oct. 28, 1975, effective Nov. 7, 1975. Refiled March 30, 1976. Amended: Filed Aug. 13, 1980, effective Jan. 1, 1981. Emergency amendment filed Sept. 24, 1987, effective Oct. 4, 1987, expired Feb. 1, 1988. Amended: Filed Sept. 24, 1987, effective Jan. 29, 1988. Rescinded: Filed June 30, 2003.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Department of Revenue, Office of Legislation and Regulations, PO Box 629, Jefferson City, MO 65105. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 12—DEPARTMENT OF REVENUE

Division 10—Director of Revenue

Chapter 3—State Sales Tax

PROPOSED RESCISSION

12 CSR 10-3.176 Fees Paid in or to Places of Amusement, Entertainment or Recreation. This rule interpreted the sales tax law as it pertains to the taxation of fees paid in or to places of amusement, entertainment or recreation.

PURPOSE: This rule is being rescinded because it is superseded by other rules.

AUTHORITY: section 144.270, RSMo 1994. This rule was previously filed as rule no. 49 April 20, 1974, effective April 30, 1974. S.T. regulation 010-82 was last filed Dec. 31, 1975, effective Jan. 10, 1976. Refiled March 30, 1976. For intervening history, please consult the Code of State Regulations. Rescinded: Filed June 30, 2003.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Department of Revenue, Office of Legislation and Regulations, PO Box 629, Jefferson City, MO 65105. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 12—DEPARTMENT OF REVENUE

Division 10—Director of Revenue

Chapter 3—State Sales Tax

PROPOSED RESCISSION

12 CSR 10-3.486 Confidential Nature of Tax Data. This rule provided that the Department of Revenue must comply with the confidentiality provisions in section 32.057, RSMo.

PURPOSE: This rule is being rescinded because it is superseded by other rules.

AUTHORITY: section 144.270, RSMo 1994. S.T. regulation 120-1 was last filed Oct. 28, 1975, effective Nov. 7, 1975. Refiled March 30, 1976. Amended: Filed Aug. 13, 1980, effective Jan. 1, 1981. Rescinded: Filed June 30, 2003.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Department of Revenue, Office of Legislation and Regulations, PO Box 629, Jefferson City, MO 65105. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 12—DEPARTMENT OF REVENUE

Division 10—Director of Revenue

Chapter 3—State Sales Tax

PROPOSED RESCISSION

12 CSR 10-3.836 Payment of Filing Fees for Lien Releases. This rule clarified the payment of filing fees to the county recorder for lien releases (section 144.380, RSMo).

PURPOSE: This rule is being rescinded because it is superseded by other rules.

AUTHORITY: section 144.270, RSMo 1994. Original rule filed Nov. 19, 1986, effective March 12, 1987. Rescinded: Filed June 30, 2003.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Department of Revenue, Office of Legislation and Regulations, PO Box 629, Jefferson City, MO 65105. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 12—DEPARTMENT OF REVENUE

Division 10—Director of Revenue

Chapter 3—State Sales Tax

PROPOSED RESCISSION

12 CSR 10-3.838 Payment of Filing Fees for Tax Liens. This rule clarified the payment of filing fees to the county recorder for tax liens (section 144.380, RSMo).

PURPOSE: *This rule is being rescinded because it is superseded by other rules.*

AUTHORITY: *section 144.270, RSMo 1994. Original rule filed Nov. 19, 1986, effective March 12, 1987. Rescinded: Filed June 30, 2003.*

PUBLIC COST: *This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

PRIVATE COST: *This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

NOTICE TO SUBMIT COMMENTS: *Anyone may file a statement in support of or in opposition to this proposed rescission with the Department of Revenue, Office of Legislation and Regulations, PO Box 629, Jefferson City, MO 65105. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
[Chapter 23—Motor Vehicle]
Chapter 26—Dealer Licensure**

PROPOSED AMENDMENT

12 CSR 10-[23.050] 26.190 Dealers' Monthly Reports. The director proposes to amend the chapter, rule number, purpose, and sections (1), (3), (4), and (5) and delete the annotation and the form that follows this rule in the *Code of State Regulations*.

PURPOSE: *This rule is being amended for consistency and clarity.*

PURPOSE: *The director of the Department of Revenue is [charged with the responsibility of] responsible for receiving dealers' monthly sales reports and [securing] secure power of attorney forms. This rule establishes time limits and guidelines concerning the submission of those reports and forms.*

(1) Every motor vehicle and boat dealer [shall] **must** file a monthly sales report on a form prescribed by the director of revenue in accordance with section 301.280, RSMo. This report shall be completed in full and actually received by the Department of Revenue on or before the fifteenth day of the month following the month for which the sales are being reported. (Example: Sales occurring during the month of July must be filed on or before August 15.)

(3) No motor vehicle or boat dealer, [his/her] agent or representative shall willfully or knowingly make a false statement in any monthly sales report required by section 301.280, RSMo and this rule; nor shall [s/he, his/her] the agent or representative omit any information requested or fail to report any sale made by the dealership.

(4) Every motor vehicle and boat dealer shall retain copies of the sales reports submitted to the Department of Revenue as part of the records to be maintained at the dealership location as provided in section 301.560.1, RSMo and shall hold them available for inspection by appropriate law enforcement officials, **and** officials of the Department of Revenue [and the Motor Vehicle Commission].

(5) Every motor vehicle dealer shall submit the original **blue copy of the** secure power of attorney form (see 12 CSR 10-23.420) in which the dealer is listed as purchaser and a copy of the corresponding certificate of title with the dealer's monthly sales reports as provided in 12 CSR 10-23.420. [Secure power of attorney forms and

copies of the corresponding titles received by a dealer in a particular month should be submitted with the sales report completed for that month.]

AUTHORITY: *sections 32.057[, RSMo 1986] and 301.280, RSMo 2000 and 301.560.1, RSMo Supp. [1990] 2002. Original rule filed April 14, 1980, effective Sept. 12, 1980. Amended: Filed March 26, 1982, effective July 12, 1982. Amended: Filed Sept. 3, 1985, effective Jan. 26, 1986. Amended: Filed May 27, 1986, effective Aug. 25, 1986. Amended: Filed March 25, 1991, effective Aug. 30, 1991. Amended: Filed June 24, 2003.*

PUBLIC COST: *This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

PRIVATE COST: *This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

NOTICE TO SUBMIT COMMENTS: *Anyone may file a statement in support of or in opposition to this proposed amendment with the Department of Revenue, Office of Legislation and Regulations, PO Box 629, Jefferson City, MO 65105. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 23—Motor Vehicle**

PROPOSED AMENDMENT

12 CSR 10-23.300 [Marking and] Use of Local Commercial Motor Vehicle License Plates for Farm or for Farming Transportation Operations. The director proposes to amend the title, purpose and sections (1)–(3) and delete section (4).

PURPOSE: *This rule is being amended for consistency and clarity.*

PURPOSE: *This rule sets forth the manner of [marking and] the use of local commercial motor vehicle license plates issued to motor vehicles used for farm or farming transportation operations.*

(1) Any applicant who requests a farm license plate will be issued a local commercial license plate for the appropriate gross weight category and an "F" tab. The tab (which shall be a black letter F on a yellow background) **referred to as a "farm" tab**, should be affixed to the license plate in the lower left-hand corner. If the owner is issued Local 6000 or Local 12,000 license plates, two (2) **farm** tabs must be issued. If the owner is issued a Local 18,000 through [73,280 (72 +)] **80,000** license plate, [only] one (1) **farm** tab will be issued. The **farm** tab(s) shall be issued at no fee.

(2) A farmer operating his/her truck on a [marked] local commercial motor vehicle license plate **with a farm tab** may travel beyond the [twenty-five (25)] **fifty (50)** mile limit as defined in section 301.010/[13]/(25), RSMo while empty or loaded. If the motor vehicle is loaded, the property being transported must be going to or from the farm for use in the operation of the farm.

(3) A farmer operating on a [marked] local commercial motor vehicle license plate **with a farm tab** may not make a for hire haul.

[[4] A farmer operating on a marked local commercial 72 + pound license plate may legally haul up to eighty thousand pounds (80,000 lbs.) gross weight provided s/he meets all other requirements of the weight law.]

AUTHORITY: section 301.030, RSMo [1986] 2000. Original rule filed June 9, 1986, effective Sept. 26, 1986. Amended: Filed June 24, 2003.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Department of Revenue, Office of Legislation and Regulations, PO Box 629, Jefferson City, MO 65105. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 23—Motor Vehicle**

PROPOSED AMENDMENT

12 CSR 10-23.330 Registration of Motorcycles [and] or Motortricycles. The director proposes to amend the title, purpose, and sections (2) and (3).

PURPOSE: This rule is being amended for consistency and clarity.

PURPOSE: This rule clarifies the procedures for issuance of motorcycle [and] or motortricycle license plates.

(2) The motorcycle[//] or motortricycle license plate [is a multi-year license plate. It] shall be renewable [each year] by the issuance of a [validation] tab. Motorcycle[//] or motortricycle license plates expire [annually] on April 30 of the registration period.

(3) The registration fee for a motorcycle or motortricycle purchased or acquired in any given month, and for which the owner does not hold a motorcycle or motortricycle license plate to transfer, shall be prorated based upon the number of months from the date of operation until April of the [following year] expiration of the registration year.

AUTHORITY: sections 301.055 and 301.080, RSMo [Supp. 1987] 2000. Original rule filed July 25, 1986, effective Nov. 28, 1986. Amended: Filed June 24, 2003.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Department of Revenue, Office of Legislation and Regulations, PO Box 629, Jefferson City, MO 65105. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 23—Motor Vehicle**

PROPOSED AMENDMENT

12 CSR 10-23.370 Issuance of Certificates of Title to Recreational Vehicles Manufactured by Two Separate Manufacturers. The director proposes to amend section (1).

PURPOSE: This rule is being amended for consistency and clarity.

(1) [Where] **When** recreational vehicles or motor homes [which] are manufactured by [two (2)] separate manufacturers [may] **and** have [two (2)] separate and distinct Manufacturers' Statements of Origin (MSO) issued for [one (1)] the unit, the following titling procedures shall apply:

(A) When an application for a Missouri certificate of title to a new recreational vehicle or motor home [reflects a make other than that of a commonly known manufacturer, such as a Ford, Chevrolet, GMC, Dodge] is submitted, both the [Manufacturer's Statement of Origin] MSO issued by the vehicle's chassis or first-stage manufacturer and the [Manufacturer's Statement of Origin] MSO issued by the vehicle's final-stage manufacturer must accompany the application;

(B) The year model assigned to the recreational vehicle shall be obtained from the [Manufacturer's Statement of Origin] MSO issued by the recreational vehicle's final-stage manufacturer;

(C) The vehicle make assigned to a vehicle shall be obtained from the [Manufacturer's Statement of Origin] MSO issued by the vehicle's final-stage manufacturer. For example, first-stage manufacturer, Chrysler Corporation builds a Dodge chassis which is subsequently made into a recreational vehicle or motor home by the final-stage manufacturer, Winnebago. The make of the vehicle will be Winnebago. Note, however, that the make of a Ford van converted by a custom converter to a recreational vehicle which does not meet the requirements of a motor home detailed in section (2) must remain a Ford; and

(D) The vehicle identification number (VIN) assigned to the recreational vehicle or motor home shall be the chassis identification number shown on the first-stage [Manufacturer's Statement of Origin] MSO. For example, the VIN for a completed Winnebago recreational vehicle or motor home manufactured on a Dodge chassis will be the identification number assigned by Chrysler Corporation to the Dodge chassis.

AUTHORITY: sections 301.010, 301.190 and 301.200, RSMo [1986] 2000. Original rule filed Dec. 2, 1986, effective March 12, 1987. Amended: Filed June 24, 2003.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Department of Revenue, Office of Legislation and Regulations, PO Box 629, Jefferson City, MO 65105. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 23—Motor Vehicle Bureau**

PROPOSED AMENDMENT

12 CSR 10-23.420 Secure Power of Attorney Requirements. The director proposes to amend subsection (2)(A), delete section (3), and

amend and renumber section (4), and renumber existing sections and delete the form that follows this rule in the *Code of State Regulations*.

PURPOSE: This rule is being amended for consistency and clarity.

(2) For any motor vehicles purchased by a dealer on or after November 28, 1990, where the dealer elects not to apply for title in the dealership's name, the purchasing dealer listed on a secure power of attorney form (DOR-3020S) shall attach—

(A) The top sheet (dark brown) of the secure power of attorney form, which has been completed in full and signed by all sellers and an authorized agent of the purchasing dealer, to the assigned certificate of ownership and give both to the purchaser *[or, if a lien is shown, to the lienholder]*; and

[(3) If the old secure power of attorney form (DOR-3020) is used, the purchasing dealer shall attach—

(A) The top sheet (light brown) of the secure power of attorney form to a photocopy of the front and back of the assigned title showing the restatement of the mileage and the assignment properly completed as authorized by the secure power of attorney form, and submit both with the dealer's monthly sales report; and

(B) The second sheet (yellow carbon copy) of the secure power of attorney form, which has been completed in full and signed by all sellers and an authorized agent of the purchasing dealer, to the assigned certificate of ownership and give both to the purchaser or, if a lien is shown, to the lienholder.]

[(4)] (3) The secure power of attorney form and corresponding certificate of ownership shall accompany the purchaser's application for title. [If a lien is involved, these documents must accompany the lien perfection copies of the application.]

[(5)] (4) Secure power of attorney forms and copies of corresponding titles received by a dealer in a particular month shall be submitted with the sales report completed for the month. The dealer shall ensure that the original and all other copies of the secure power of attorney form and certificate of title are completed in full and are legible. The dealer shall retain a photocopy of the secure power of attorney form and the front and back of the corresponding certificate of ownership as a part of the dealership's records for a period of five (5) years.

[(6)] (5) A Missouri motor vehicle dealer may buy and sell a motor vehicle out-of-state when a secure power of attorney form accompanies the title. When an out-of-state secure power of attorney form is involved, the Missouri dealer shall obtain the appropriate copy of the secure power of attorney form and the certificate of title, but shall not be required to submit copies of those documents with the dealer's sales report.

[(7)] (6) A motor vehicle dealer listed as the purchaser on the secure power of attorney form may elect to title the vehicle in the dealership's name by submitting the original secure power of attorney form and the original ownership document with the dealer's application for title.

AUTHORITY: section 407.536.8, RSMo [Supp. 1990] 2000. Emergency rule filed March 11, 1991, effective March 21, 1991, expired July 17, 1991. Emergency rule filed July 9, 1991, effective July 19, 1991, expired Nov. 15, 1991. Original rule filed March 11, 1991, effective Aug. 30, 1991. Amended: Filed July 2, 1992, effective Feb. 26, 1993. Amended: Filed June 24, 2003.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Department of Revenue, Office of Legislation and Regulations, PO Box 629, Jefferson City, MO 65105. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 23—Motor Vehicle Bureau**

PROPOSED RESCISSION

12 CSR 10-23.436 Application For Title. This rule clarified when the newly revised application for title was to be presented to the Department of Revenue.

PURPOSE: This rule is being rescinded because it is no longer applicable.

AUTHORITY: sections 301.190, 301.700 and 700.320, RSMo 1994. Original rule filed Nov. 28, 1994, effective May 28, 1995. Rescinded: Filed June 24, 2003.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Department of Revenue, Office of Legislation and Regulations, PO Box 629, Jefferson City, MO 65105. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 23—Motor Vehicle**

PROPOSED RESCISSION

12 CSR 10-23.444 Historic Vehicle License. This rule allowed a vehicle registered pursuant to subsection 5 of section 301.131, RSMo, and displayed a license plate manufactured prior to 1979 to be operated on the highways of this state without displaying validation tabs.

PURPOSE: This rule is being rescinded because it is no longer applicable.

AUTHORITY: section 301.131, RSMo Supp. 1998. Original rule filed March 12, 1999, effective Sept. 30, 1999. Rescinded: Filed June 24, 2003.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Department of Revenue, Office of Legislation and Regulations, PO Box 629, Jefferson City, MO 65105. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 23—Motor Vehicle**

PROPOSED RULE

12 CSR 10-23.458 Documents Accepted as a Release of Lien

PURPOSE: This rule clarifies what documents are acceptable to the Department of Revenue to release a lien on a motor vehicle, trailer, all-terrain vehicle, outboard motor, vessel, or manufactured home.

(1) Every release of lien for a motor vehicle, trailer, all-terrain vehicle, outboard motor, vessel, or manufactured home issued on or after July 1, 2003, must be notarized.

(2) The following notarized documents will be accepted as a lien release for liens released on or after July 1, 2003.

(A) Notice of Lien Release (DOR-4809), which can be requested from the Department of Revenue's website at <http://www.dort.state.mo.us/mvdl/formorder>; or

(B) Lien release issued on the lienholder's business letterhead. The release shall contain the owner's name, year, make, vehicle identification number, lien release date, and lienholder name and signature.

AUTHORITY: sections 301.640, 306.410, 306.420 and 700.370, RSMo Supp. 2002. Original rule filed June 24, 2003.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Department of Revenue, Office of Legislation and Regulations, PO Box 629, Jefferson City, MO 65105. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 24—Drivers License Bureau Rules**

PROPOSED AMENDMENT

12 CSR 10-24.385 School Bus Permits. The director proposes to amend sections (1) and (2).

PURPOSE: This amendment establishes the two (2) types of school bus permits to be issued to school bus operators.

(1) There shall be two (2) types of school bus permits *[in Missouri. The holder of each permit may drive any school bus which is any motor vehicle, publicly or privately owned, to transport students to and from school, or when properly chaperoned within the state for educational purposes provided the person holds a valid Missouri or out-of-state drivers license.*

(2) *The two (2) permits shall be* issued as follows:

(A) Type 1—to a school bus operator transporting sixteen (16) or more persons including the driver or operating a vehicle that is designed to transport sixteen (16) or more persons including the driver. **Type 1 permit holders must also possess a valid commercial driver license with the appropriate classification and endorsement(s) for the school bus being operated.** The holder of a Type 1 school bus permit may also drive any school bus which may be driven by the holder of a Type 2 school bus permit; and

(B) Type 2—to a school bus operator operating a vehicle that is designed to transport fifteen (15) or fewer persons including the driver.

AUTHORITY: section 302.272, RSMo [Supp. 1997] 2000. Emergency rule filed June 7, 1991, effective June 17, 1991, expired Oct. 4, 1991. Emergency rule filed Sept. 24, 1991, effective Oct. 4, 1991, expired Jan. 31, 1992. Original rule filed June 7, 1991, effective Oct. 31, 1991. Amended: Filed Oct. 22, 1997, effective April 30, 1998. Amended: Filed June 24, 2003.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Department of Revenue, Office of Legislation and Regulations, PO Box 629, Jefferson City, MO 65105. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 24—Drivers License Bureau Rules**

PROPOSED AMENDMENT

12 CSR 10-24.390 Commercial Driver Instruction Permit. The director proposes to amend sections (1), (3) and (4).

PURPOSE: This amendment clarifies the requirements for a commercial driver to obtain a commercial driver instruction permit.

(1) Before applying for a commercial driver instruction permit, the person shall possess a valid driver/s/ license issued in this or any other state.

(3) *[The] Prior to issuance of a commercial driver instruction permit, the person shall present evidence that the appropriate commercial motor vehicle written tests were completed for the class and type of vehicle to be operated [on the commercial driver instruction permit].*

(4) *[The director shall issue a commercial driver instruction permit in the correct class and with appropriate endorsements upon the payment of five dollars (\$5). A permit holder, unless otherwise disqualified, may be granted one (1) six (6)-month extension/renewal of an unexpired instruction permit upon the payment of an additional five dollar (\$5) fee. The person shall be accompanied by the holder of a commercial drivers license valid for the class of vehicle being operated and who occupies a seat beside the individual, or reasonably near the individual, in the case of buses, for the purpose of giving instruction in driving the commercial motor vehicle.]* **A commercial driver instruction permit cannot be used to operate a commercial motor vehicle transporting hazardous materials as defined in 49 CFR 383.5.**

AUTHORITY: section 302.720, RSMo Supp. [1989] 2002. Emergency rule filed June 7, 1991, effective June 17, 1991, expired Oct. 4, 1991. Original rule filed June 7, 1991, effective Dec. 9, 1991. Emergency rule filed Sept. 24, 1991, effective Oct. 4, 1991, expired Jan. 31, 1992. Amended: Filed Feb. 28, 1992, effective Aug. 6, 1992. Amended: Filed June 24, 2003.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Department of Revenue, Office of Legislation and Regulations, PO Box 629, Jefferson City, MO 65105. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*

This section will contain the final text of the rules proposed by agencies. The order of rulemaking is required to contain a citation to the legal authority upon which the order of rulemaking is based; reference to the date and page or pages where the notice of proposed rulemaking was published in the *Missouri Register*; an explanation of any change between the text of the rule as contained in the notice of proposed rulemaking and the text of the rule as finally adopted, together with the reason for any such change; and the full text of any section or subsection of the rule as adopted which has been changed from that contained in the notice of proposed rulemaking. The effective date of the rule shall be not less than thirty (30) days after the date of publication of the revision to the *Code of State Regulations*.

The agency is also required to make a brief summary of the general nature and extent of comments submitted in support of or opposition to the proposed rule and a concise summary of the testimony presented at the hearing, if any, held in connection with the rulemaking, together with a concise summary of the agency's findings with respect to the merits of any such testimony or comments which are opposed in whole or in part to the proposed rule. The ninety (90)-day period during which an agency shall file its order of rulemaking for publication in the *Missouri Register* begins either: 1) after the hearing on the proposed rulemaking is held; or 2) at the end of the time for submission of comments to the agency. During this period, the agency shall file with the secretary of state the order of rulemaking, either putting the proposed rule into effect, with or without further changes, or withdrawing the proposed rule.

Title 5—DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION Division 50—Division of School Improvement Chapter 350—State Programs

ORDER OF RULEMAKING

By the authority vested in the State Board of Education under sections 160.545 and 161.092, RSMo Supp. 2002, the board amends a rule as follows:

5 CSR 50-350.040 A+ Schools Program is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on April 1, 2003 (28 MoReg 640-644). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The board received sixteen (16) letters of comments on the proposed amendment.

COMMENT: Nine (9) comments supported the amendment reducing the book reimbursement percentage rate with three (3) comments suggesting a fixed dollar amount for reimbursement and one (1) comment suggesting that the reduced rate begin with freshmen entering the program.

RESPONSE: The state board carefully considered these comments and decided to make no changes at this time.

COMMENT: Seven (7) comments opposed the amendment to reducing the book reimbursement percentage rate with one (1) comment preferring that the tuition rate be reduced.

RESPONSE: The state board carefully considered these comments and decided to make no changes at this time.

Title 12—DEPARTMENT OF REVENUE Division 10—Director of Revenue Chapter 24—Drivers License Bureau Rules

ORDER OF RULEMAKING

By the authority vested in the director of revenue under sections 136.055, RSMo Supp. 2002, 302.181 and 302.185, RSMo 2000, the director amends a rule as follows:

12 CSR 10-24.140 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on March 3, 2003 (28 MoReg 404-405). Changes have been made in the text of the proposed amendment, and they are reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: One (1) written comment was received on the above amendment.

COMMENT: The commenter, Herbert Wheeler, Resource Management Director, Missouri Department of Transportation, commented that the fee stated in subsection (2)(E) of the proposed rulemaking is contrary to state statute, section 302.181.7, RSMo. According to the comment received, the said fee for such transaction shall be six dollars (\$6). The proposed amendment stated that said fee would be three dollars (\$3).

RESPONSE AND EXPLANATION OF CHANGE: The department concurs with the commenter and has amended subsection (2)(E) accordingly.

12 CSR 10-24.140 Procedures for Reissuance of a Missouri Driver License, Nondriver License, or Instruction Permit Not Received After Mailing by the Department

(2) If the applicant requests any changes on the duplicate driver license, nondriver license, or instruction permit, the applicant shall pay the appropriate fee as follows:

(E) For a duplicate photo nondriver license, the fee shall be six dollars (\$6).

Title 13—DEPARTMENT OF SOCIAL SERVICES Division 70—Division of Medical Services Chapter 1—Organization

ORDER OF RULEMAKING

By the authority vested in the Division of Medical Services under section 208.201, RSMo 2000, the director adopts a rule as follows:

13 CSR 70-1.020 is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on March 3, 2003 (28 MoReg 405-409). Those sections with changes are reprinted here.

This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The Division of Medical Services received comments from the Missouri Department of Mental Health, National Association of Social Workers-Missouri Chapter, and the Missouri Department of Health and Senior Services.

COMMENT: The Department of Mental Health (DMH) commented that the way the rule is currently drafted does not appear to cause implementation issues for DMH. Under section (3), Disclosures of Health Information Required or Allowed by Law, subsection (G) assures an exchange of information between DMH and the Department of Social Services (DSS) to determine eligibility and enrollment.

RESPONSE AND EXPLANATION OF CHANGE: Section (1) has been changed to add the *Code of Federal Regulations* citation. Section (3) has been changed to make it clear that the rule is addressing recipients of programs of DSS.

COMMENT: DMH staff pointed out that the sentence, "The Department of Social Services, Division of Medical Services must get the applicant's or recipient's or their representative's consent to use and share private health information for other purposes," did not belong in section (5). It was also suggested by two (2) commenters that section (5) needed a more thorough description of privacy with regards to records of mental health professionals.

RESPONSE AND EXPLANATION OF CHANGE: The sentence regarding consent has been removed from section (5) since the same material is covered in section (4), Other Uses and Disclosures Require the Applicant's or Recipient's Written Authorization. The description of psychotherapy notes has been amended so that the DSS and DMH definition matches the federal definition at 45 CFR 164.501.

COMMENT: DMH staff were concerned that the federal regulation does not allow the covered entity to charge for the time spent gathering material to be copied, only the time spent copying. DMH also noted that section 191.227, RSMo allows a payment of fifteen dollars (\$15) plus a fee of thirty-five cents (35¢) per page for copies of documents made on a standard photocopy machine.

RESPONSE AND EXPLANATION OF CHANGE: The federal regulation at 45 CFR 164.524(4) says, in part, "Copying, including the cost of supplies for and labor of copying." Changes have been made to subsection (5)(D) to reflect the costs of the labor of copying.

COMMENT: Department of Health and Senior Services (DHSS) staff was concerned that the rule language regarding disclosures of health information required or allowed by law was too limited regarding contagious diseases, elder abuse and neglect reports, and reports of Medicaid eligibility to local public hearing agencies for determining eligibility for local programs.

RESPONSE AND EXPLANATION OF CHANGE: Subsection (3)(A) has been amended as requested. Subsection (3)(K) has been added to address elder abuse and neglect reports. Subsection (3)(L) has been added to address governmental functions.

COMMENT: After the proposed rule was filed the Office of Administration made available an "Authorization for Disclosure of Consumer Medical/Health Information" for use by members of the Missouri General Assembly.

RESPONSE AND EXPLANATION OF CHANGE: The disclosure forms originally filed with the proposed rules are replaced by the statewide authorization form Mo 650-2616N(1-03). The form is available for reference and use at http://www.oa.mo.gov/gs/form/fm_indiv.htm#dhss.

COMMENT: DSS staff was concerned that authority to request a restriction was limited to the individual and did not extend to the individual's representative.

RESPONSE AND EXPLANATION OF CHANGE: Sections (4) and (5) are amended to extend the right of written authorization to the applicant's or recipient's representative.

13 CSR 70-1.020 Standards for Privacy of Individually Identifiable Health Information

(1) General Authority. There are many state and federal laws and regulations that safeguard applicants' and recipients' protected health information. Section 1902(a)(7) of the federal Social Security Act requires that a state plan for medical assistance must provide safeguards which restrict the use or disclosure of information concerning applicants and recipients to purposes directly connected with the administration of the plan. The Health Insurance Portability and Accountability Act (HIPAA) represents the first comprehensive federal protection of patient privacy (45 *Code of Federal Regulations*, parts 160-164). Passed by the United States Congress in 1996, HIPAA sets national standards to protect personal health information, reduces health care fraud, and makes health coverage more portable. The entire health care industry must implement HIPAA, including state governments.

(3) Disclosures of Health Information Required or Allowed by Law. The Department of Social Services, the single state Medicaid agency, may use an applicant's or recipient's individually identifiable health information for treatment, payment, or health care operations. For example, individually identifiable health information may be used to determine disability for a public assistance program; when reviewing a request from the treating physician for a Medicaid service that requires a prior approval; and when processing claims and other requests for medical care payments. The Department of Social Services, Division of Medical Services may also report information for research purposes and matters concerning organ donations. The research must be for helping the Medicaid program. The Department of Social Services, Division of Medical Services shall report:

(A) Contagious and reportable diseases, including, but not limited to, those defined by 19 CSR 20-20.020, birth defects, cancer, or other information for public health purposes;

(E) When the court orders the Department of Social Services to;

(F) To the government to review how Department of Social Services programs are working;

(G) To a provider or other insurance company who needs to know if a recipient is enrolled in one of the Department of Social Services programs;

(I) Birth, death, and immunization information;

(J) To the federal government when they are looking into something important to protect our country, the President, and other government workers;

(K) Information about victims of abuse, neglect, or domestic violence to a government authority to the extent the disclosure is required by law; and

(L) Medical eligibility when that information is used for a governmental function, such as local public health agency using eligibility information to determine eligibility for local health programs.

(4) Other Uses and Disclosures Require the Applicant's or Recipient's Written Authorization. For other situations, the Department of Social Services will ask for the applicant's or recipient's or their representative's written authorization before using or disclosing information. The applicant or recipient or their representative may cancel this authorization at any time in writing. The Department of Social Services cannot take back any uses or disclosures already made with the applicant's or recipient's or their representative's authorization.

(5) Applicant or Recipient Rights to Restrict or Request Protected Health Information. An applicant or recipient or their representative has the right to:

(B) Have their doctor see their health information, unless it is psychotherapy notes taken by a mental health provider that are kept separate from the rest of the individual's medical record;

(D) Request a list of medical information the Department of Social Services shared that was not for treatment, payment, or health care operations or as required by federal law. Beginning in April 2003 an applicant or recipient or their representative can get a list of where their health information has been sent, unless it was sent for treatment, payment, checking to make sure they received quality care, or to make sure the laws are being followed, on forms prepared by the Department of Social Services.

1. If the individual requests a copy of the protected health information or agrees to a summary or explanation of such information, the covered entity may impose a reasonable, cost-based fee, provided that the fee includes only the cost of:

A. Copying, including the cost of supplies for and labor of copying, the protected health information requested by the individual;

B. Postage, when the individual has requested the copy, or summary or explanation, be mailed;

C. Preparing an explanation or summary of the protected health information; and

D. Requests for information in other formats such as diskettes, audio/video tapes, slides, will be invoiced at the rate the agency actually paid for the format used.

Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES

Division 20—Division of Environmental Health and Communicable Disease Prevention Chapter 20—Communicable Diseases

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Health and Senior Services under sections 192.006 and 192.020, RSMo 2000, the director amends a rule as follows:

19 CSR 20-20.080 Duties of Laboratories is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on April 15, 2003 (28 MoReg 776). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES

Division 20—Division of Environmental Health and Communicable Disease Prevention Chapter 20—Communicable Diseases

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Health and Senior Services under sections 191.640, RSMo Supp. 2002 and 192.006, RSMo 2000, the director adopts a rule as follows:

19 CSR 20-20.091 Testing for Contagious or Infectious Disease is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on April 15, 2003 (28 MoReg 776-777). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES

Division 20—Division of Environmental Health and Communicable Disease Prevention Chapter 20—Communicable Diseases

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Health and Senior Services under sections 191.640, RSMo Supp. 2002 and 192.006, RSMo 2000, the director adopts a rule as follows:

19 CSR 20-20.092 Blood-Borne Pathogen Standard Required for Occupational Exposure of Public Employees to Blood and Other Infectious Materials is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on April 15, 2003 (28 MoReg 777). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

This section may contain notice of hearings, correction notices, public information notices, rule action notices, statements of actual costs and other items required to be published in the *Missouri Register* by law.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 100—Division of Credit Unions**

**ACTIONS TAKEN ON
APPLICATIONS FOR NEW GROUPS OR
GEOGRAPHIC AREAS**

Pursuant to section 370.081(4), RSMo 2000, the director of the Missouri Division of Credit Unions is required to cause notice to be published that the director has either granted or rejected applications from the following credit unions to add new groups or geographic areas to their membership and state the reasons for taking these actions.

The following applications have been granted. These credit unions have met the criteria applied to determine if additional groups may be included in the membership of an existing credit union and have the immediate ability to serve the proposed new groups or geographic areas. The proposed new groups or geographic areas meet the requirements established pursuant to 370.080(2), RSMo 2000.

Credit Union	Proposed New Group or Geographic Area
Anheuser Busch Employees Credit Union 1001 Lynch Street St. Louis, MO 63118	People who live or work, or legal entities in zip codes 63103, 63110, 63116, 63118, as well as legal entities in zip code 63104
Southeast Telephone Employees Credit Union 312 West Main PO Box 335 Park Hills, MO 63601	Persons who live or are employed in the Missouri counties of St. Francois County, Ste. Genevieve County, and Madison County

3-00157-ILM 4310-GJ U

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[ES-030-1430-BJ] ES-051869, Group 28, Missouri

NOTICE OF FILING OF PLAT OF SURVEY; MISSOURI

The Bureau of Land Management (BLM) will officially file the plat of the survey of a portion of the Wappapello Lake acquisition boundary, Township 28 North, Range 6 East, Fifth Principal Meridian, Missouri, accepted on June 12, 2003, in the Eastern States Office, Springfield, Virginia, 30 calendar days from the date of publication in the FEDERAL REGISTER.

The survey was requested by the U.S. Army Corps of Engineers.

All inquiries or protests concerning the technical aspects of the survey must be submitted in writing to the Chief Cadastral Surveyor, Eastern States, Bureau of Land Management, 7450 Boston Boulevard, Springfield, Virginia 22153, prior to the date of the official filing.

We will place a copy of the plat we described in the open files. Copies of the plat will be made available upon request and prepayment of the appropriate fee.



Stephen D. Douglas
Chief Cadastral Surveyor

Date: June 12, 2003

The Secretary of State is required by sections 347.141 and 359.481, RSMo 2000 to publish dissolutions of limited liability companies and limited partnerships. The content requirements for the one-time publishing of these notices are prescribed by statute. This listing is published pursuant to these statutes. We request that documents submitted for publication in this section be submitted in camera ready 8 1/2" x 11" manuscript.

NOTICE OF DISSOLUTION TO ALL CREDITORS AND CLAIMANTS AGAINST K. C. MARINE, INC.

On June 2, 2003, K. C. Marine, Inc., a Missouri corporation, filed its Articles of Dissolution with the Missouri Secretary of State. Dissolution was effective on June 2, 2003.

Any and all claims against K. C. Marine, Inc. should be sent to K. C. Marine, Inc., c/o Donald R. Elbel, Jr., 10200 State Line, Suite 200, Leawood, Kansas 66206. All claims must include: The name, address and telephone number of the claimant; the amount claimed; the basis for the claim; and the date the claim arose.

Any and all claims against K. C. Marine, Inc. will be barred unless a proceeding to enforce the claim is commenced within two (2) years after the date of publication of this Notice.

NOTICE OF WINDING UP OF TIMELINE RECRUITING ALLIED DIVISION, LLC

On May 5, 2003, TimeLine Recruiting Allied Division, LLC, a Missouri limited liability company, filed a Notice of Winding Up with the Missouri Secretary of State. Said limited liability company requests that all persons and organizations who have claims against it present them immediately by letter to the limited liability company at 609 East Walnut Street, P.O. Box 1097, Columbia, Missouri 65205. All claims must include the name and address of the claimant, the amount claimed, the basis for the claim, and the date(s) on which the event(s) on which the claim is based occurred.

All claims against TimeLine Recruiting Allied Division, LLC will be barred unless a proceeding to enforce the claim is commenced within three years after the date of publication of this notice.

**NOTICE OF DISSOLUTION TO
ALL CREDITORS OF AND CLAIMANTS
AGAINST TACT X CORPORATION**

On June 19, 2003, Tact X filed its Articles of Dissolution with the Missouri Secretary of State. Tact X intends to dissolve pursuant to Missouri law.

You are hereby notified that if you believe you have a claim against Tact X Corporation, you must submit a summary in writing of the circumstances surrounding your claim to the Corporation at 9939 Gravois Road, St. Louis, Missouri 63123. The summary of your claim must include the following information:

1. The name, address, and telephone number of the claimant
2. The amount of the claim
3. The date on which the event on which the claim is based occurred.
4. A brief description of the nature of the debt or the basis for the claim.

All claims against Tact X corporation will be barred unless the proceeding to enforce the claim is commenced within two years after the publication of this notice.

**NOTICE OF CORPORATE DISSOLUTION
TO ALL UNKNOWN CREDITORS OF AND CLAIMANTS
AGAINST NHC, INC.**

The Board of Directors and shareholders of NHC, Inc., a Missouri corporation (the "Corporation"), have authorized the dissolution of the Corporation in accordance with Section 351.464 of the Missouri Revised Statute. The Corporation is the successor-in-interest by merger to MidAmerica Equities, L.P. d/b/a Normandy Community Hospital, a Texas limited partnership. This notice is provided pursuant to Section 351.482 of the Missouri Revised Statutes, which states that any corporation that has been authorized to dissolve may provide written notice to all unknown creditors and claimants. If you have a claim against the Corporation, you should notify the Corporation in writing at 2200 Southwest Freeway, 5th Floor, Houston, Texas 77098. Such written notice should describe your claim in reasonable detail, state the amount of your claim and provide back-up documentation for your claim. A claim against the Corporation will be barred unless a proceeding to enforce the claim is commenced within two years of the publication of this notice.

Rule Changes Since Update to Code of State Regulations

This cumulative table gives you the latest status of rules. It contains citations of rulemakings adopted or proposed after deadline for the monthly Update Service to the *Code of State Regulations*, citations are to volume and page number in the *Missouri Register*, except for material in this issue. The first number in the table cite refers to the volume number or the publication year—26 (2001), 27 (2002) and 28 (2003). MoReg refers to *Missouri Register* and the numbers refer to a specific *Register* page, R indicates a rescission, W indicates a withdrawal, S indicates a statement of actual cost, T indicates an order terminating a rule, N.A. indicates not applicable, RUC indicates a rule under consideration, and F indicates future effective date.

Rule Number	Agency	Emergency	Proposed	Order	In Addition
OFFICE OF ADMINISTRATION					
1 CSR 10	State Officials' Salary Compensation Schedule				27 MoReg 189 27 MoReg 1724
1 CSR 15-3.320	Administrative Hearing Commission		28 MoReg 1266		
1 CSR 15-3.350	Administrative Hearing Commission		28 MoReg 1266		
DEPARTMENT OF AGRICULTURE					
2 CSR 30-2.010	Animal Health		28 MoReg 399	28 MoReg 1117 28 MoReg 707	
2 CSR 30-2.020	Animal Health		28 MoReg 399	28 MoReg 1117 28 MoReg 708 28 MoReg 708	
2 CSR 30-2.040	Animal Health		28 MoReg 400	28 MoReg 1117 28 MoReg 711	
2 CSR 30-6.020	Animal Health		28 MoReg 400	28 MoReg 1117	
2 CSR 30-9.020	Animal Health		28 MoReg 1085		
2 CSR 30-9.030	Animal Health		28 MoReg 1086		
2 CSR 70-16.010	Plant Industries		28 MoReg 308	28 MoReg 1207	
2 CSR 70-16.015	Plant Industries		28 MoReg 308	28 MoReg 1207	
2 CSR 70-16.020	Plant Industries		28 MoReg 309	28 MoReg 1207	
2 CSR 70-16.025	Plant Industries		28 MoReg 309	28 MoReg 1207	
2 CSR 70-16.030	Plant Industries		28 MoReg 312	28 MoReg 1208	
2 CSR 70-16.035	Plant Industries		28 MoReg 314	28 MoReg 1208	
2 CSR 70-16.040	Plant Industries		28 MoReg 314	28 MoReg 1208	
2 CSR 70-16.045	Plant Industries		28 MoReg 314	28 MoReg 1208	
2 CSR 70-16.050	Plant Industries		28 MoReg 315	28 MoReg 1208	
2 CSR 70-16.055	Plant Industries		28 MoReg 315	28 MoReg 1208	
2 CSR 70-16.060	Plant Industries		28 MoReg 316	28 MoReg 1209	
2 CSR 70-16.065	Plant Industries		28 MoReg 318	28 MoReg 1209	
2 CSR 70-16.070	Plant Industries		28 MoReg 318	28 MoReg 1209	
2 CSR 70-16.075	Plant Industries		28 MoReg 318	28 MoReg 1209	
2 CSR 80-5.010	State Milk Board		28 MoReg 637	28 MoReg 1292	
2 CSR 90-10.040	Weights and Measures		27 MoReg 1161		
2 CSR 90-30.050	Weights and Measures		27 MoReg 1565		
DEPARTMENT OF CONSERVATION					
3 CSR 10-4.111	Conservation Commission		28 MoReg 1088		
3 CSR 10-5.352	Conservation Commission		28 MoReg 1267		
3 CSR 10-5.552	Conservation Commission		28 MoReg 1270		
3 CSR 10-5.553	Conservation Commission		28 MoReg 1273		
3 CSR 10-5.577	Conservation Commission		28 MoReg 1275		
3 CSR 10-5.578	Conservation Commission		28 MoReg 1277		
3 CSR 10-6.405	Conservation Commission		28 MoReg 851	28 MoReg 1292	
3 CSR 10-7.410	Conservation Commission		28 MoReg 1088		
3 CSR 10-7.435	Conservation Commission		N.A.	28 MoReg 1292	
3 CSR 10-7.455	Conservation Commission		28 MoReg 1089		
3 CSR 10-9.110	Conservation Commission		28 MoReg 1089		
3 CSR 10-10.726	Conservation Commission		28 MoReg 851	28 MoReg 1296	
3 CSR 10-10.732	Conservation Commission		28 MoReg 852	28 MoReg 1296	
3 CSR 10-10.745	Conservation Commission		N.A.	28 MoReg 1118R	
3 CSR 10-11.160	Conservation Commission		28 MoReg 1089		
3 CSR 10-11.180	Conservation Commission		28 MoReg 1090		
3 CSR 10-11.182	Conservation Commission		28 MoReg 1090		
			28 MoReg 1279		
3 CSR 10-11.186	Conservation Commission		28 MoReg 1091		
3 CSR 10-11.205	Conservation Commission		28 MoReg 1091		
3 CSR 10-12.110	Conservation Commission		28 MoReg 1092		
3 CSR 10-12.135	Conservation Commission		28 MoReg 1092		
3 CSR 10-12.140	Conservation Commission		28 MoReg 1093		
3 CSR 10-20.805	Conservation Commission		28 MoReg 1279		

Rule Number	Agency	Emergency	Proposed	Order	In Addition
DEPARTMENT OF ECONOMIC DEVELOPMENT					
4 CSR 30-16.020	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects		28 MoReg 852		
4 CSR 30-16.030	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects		28 MoReg 853		
4 CSR 30-16.040	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects		28 MoReg 854		
4 CSR 30-16.060	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects		28 MoReg 855		
4 CSR 30-16.070	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects		28 MoReg 855		
4 CSR 30-16.080	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects		28 MoReg 855		
4 CSR 30-16.090	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects		28 MoReg 856		
4 CSR 30-16.100	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects		28 MoReg 856		
4 CSR 100	Division of Credit Unions				28 MoReg 914 28 MoReg 1143 28 MoReg 1219 This Issue
4 CSR 100-2.080	Division of Credit Unions		28 MoReg 1279		
4 CSR 115-1.040	State Committee of Dietitians		28 MoReg 1280		
4 CSR 140-2.055	Division of Finance		28 MoReg 319	28 MoReg 1209	
4 CSR 140-2.140	Division of Finance		28 MoReg 320	28 MoReg 1210	
4 CSR 140-11.010	Division of Finance		28 MoReg 320R	28 MoReg 1211R	
4 CSR 140-11.020	Division of Finance		28 MoReg 320R	28 MoReg 1211R	
4 CSR 140-11.030	Division of Finance		28 MoReg 321	28 MoReg 1211	
4 CSR 140-11.040	Division of Finance		28 MoReg 322	28 MoReg 1211	
4 CSR 145-1.030	Missouri Board of Geologist Registration		28 MoReg 857		
4 CSR 145-2.030	Missouri Board of Geologist Registration		28 MoReg 857		
4 CSR 145-2.100	Missouri Board of Geologist Registration		28 MoReg 857		
4 CSR 150-3.080	State Board of Registration for the Healing Arts		28 MoReg 1282		
4 CSR 150-3.170	State Board of Registration for the Healing Arts		28 MoReg 1284		
4 CSR 165-2.010	Board of Examiners for Hearing Instrument Specialists		28 MoReg 857		
4 CSR 165-2.030	Board of Examiners for Hearing Instrument Specialists		28 MoReg 858		
4 CSR 165-2.060	Board of Examiners for Hearing Instrument Specialists		28 MoReg 858		
4 CSR 200-4.010	State Board of Nursing		28 MoReg 541	28 MoReg 1212	
4 CSR 200-4.021	State Board of Nursing		28 MoReg 1286		
4 CSR 200-4.100	State Board of Nursing		28 MoReg 1286		
4 CSR 220-2.010	State Board of Pharmacy		28 MoReg 543		
4 CSR 220-2.130	State Board of Pharmacy		28 MoReg 403	28 MoReg 1212	
4 CSR 220-2.190	State Board of Pharmacy		27 MoReg 2268	28 MoReg 900W	
4 CSR 220-2.200	State Board of Pharmacy		28 MoReg 10R	28 MoReg 1118R	
			28 MoReg 10	28 MoReg 1118	
4 CSR 220-2.400	State Board of Pharmacy		28 MoReg 20	28 MoReg 1133	
4 CSR 220-2.900	State Board of Pharmacy		28 MoReg 543		
4 CSR 220-5.020	State Board of Pharmacy		28 MoReg 1177		
4 CSR 231-2.010	Division of Professional Registration		28 MoReg 1286		
4 CSR 235-1.020	State Committee of Psychologists		28 MoReg 545	28 MoReg 1212	
4 CSR 240-3.180	Public Service Commission		28 MoReg 1024		
4 CSR 240-3.250	Public Service Commission		28 MoReg 1028		
4 CSR 240-20.065	Public Service Commission		28 MoReg 711	28 MoReg 1296	
4 CSR 240-31.010	Public Service Commission		27 MoReg 2159	28 MoReg 1048	
4 CSR 240-31.050	Public Service Commission		27 MoReg 2160	28 MoReg 1048	
4 CSR 240-31.060	Public Service Commission		27 MoReg 2163	28 MoReg 1049	
4 CSR 240-31.065	Public Service Commission		27 MoReg 2166	28 MoReg 1049	
4 CSR 240-33.070	Public Service Commission		27 MoReg 2169	28 MoReg 1050	
4 CSR 240-40.018	Public Service Commission		28 MoReg 1032		
4 CSR 240-120.085	Public Service Commission		28 MoReg 1032		
4 CSR 240-120.140	Public Service Commission	28 MoReg 287	28 MoReg 547	28 MoReg 1135	
4 CSR 240-121.065	Public Service Commission		28 MoReg 1035		
4 CSR 240-123.030	Public Service Commission	28 MoReg 288	28 MoReg 549	28 MoReg 1136	
4 CSR 240-123.095	Public Service Commission		28 MoReg 1037		
4 CSR 267-4.020	Office of Tattooing, Body Piercing and Branding	28 MoReg 947			

Rule Number	Agency	Emergency	Proposed	Order	In Addition
4 CSR 270-1.021	Missouri Veterinary Medical Board		28 MoReg 859		
4 CSR 270-1.031	Missouri Veterinary Medical Board		28 MoReg 861		
4 CSR 270-2.051	Missouri Veterinary Medical Board		28 MoReg 861		
4 CSR 270-4.031	Missouri Veterinary Medical Board		28 MoReg 861		
4 CSR 270-4.042	Missouri Veterinary Medical Board		28 MoReg 861		
4 CSR 270-4.060	Missouri Veterinary Medical Board		28 MoReg 862		
4 CSR 270-7.010	Missouri Veterinary Medical Board		28 MoReg 864		
DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION					
5 CSR 30-4.010	Division of Administrative and Financial Services		28 MoReg 322R	28 MoReg 1212R	
5 CSR 30-261.010	Division of Administrative and Financial Services		28 MoReg 1180		
5 CSR 50-310.010	Division of School Improvement		28 MoReg 1039R		
5 CSR 50-340.110	Division of School Improvement		28 MoReg 1039		
5 CSR 50-340.200	Division of School Improvement		28 MoReg 1040		
5 CSR 50-350.015	Division of School Improvement		28 MoReg 1042R		
5 CSR 50-350.040	Division of School Improvement		28 MoReg 640	This Issue	
5 CSR 50-355.100	Division of School Improvement		28 MoReg 323	28 MoReg 1212	
5 CSR 50-360.010	Division of School Improvement		28 MoReg 1042R		
5 CSR 50-370.010	Division of School Improvement		28 MoReg 1042R		
5 CSR 60-120.020	Vocational and Adult Education		28 MoReg 1181		
5 CSR 60-900.050	Vocational and Adult Education		28 MoReg 1093		
5 CSR 70-742.160	Special Education		28 MoReg 1042R		
5 CSR 90-4.410	Vocational Rehabilitation		28 MoReg 864		
5 CSR 90-4.420	Vocational Rehabilitation		28 MoReg 864		
5 CSR 90-5.410	Vocational Rehabilitation		28 MoReg 864		
5 CSR 90-5.420	Vocational Rehabilitation		28 MoReg 867		
5 CSR 90-5.440	Vocational Rehabilitation		28 MoReg 869		
DEPARTMENT OF HIGHER EDUCATION					
6 CSR 10-6.010	Commissioner of Higher Education		28 MoReg 956		
DEPARTMENT OF TRANSPORTATION					
7 CSR 10-3.040	Missouri Highways and Transportation Commission	28 MoReg 1173R	28 MoReg 1182R		
7 CSR 10-6.010	Missouri Highways and Transportation Commission		28 MoReg 958		
7 CSR 10-6.015	Missouri Highways and Transportation Commission		28 MoReg 958		
7 CSR 10-6.020	Missouri Highways and Transportation Commission		28 MoReg 960		
7 CSR 10-6.030	Missouri Highways and Transportation Commission		28 MoReg 960		
7 CSR 10-6.040	Missouri Highways and Transportation Commission		28 MoReg 961		
7 CSR 10-6.050	Missouri Highways and Transportation Commission		28 MoReg 963		
7 CSR 10-6.060	Missouri Highways and Transportation Commission		28 MoReg 963		
7 CSR 10-6.070	Missouri Highways and Transportation Commission		28 MoReg 964		
7 CSR 10-6.080	Missouri Highways and Transportation Commission		28 MoReg 966		
7 CSR 10-6.085	Missouri Highways and Transportation Commission		28 MoReg 967		
7 CSR 10-6.090	Missouri Highways and Transportation Commission		28 MoReg 968		
7 CSR 10-6.100	Missouri Highways and Transportation Commission		28 MoReg 968		
7 CSR 10-25.010	Missouri Highways and Transportation Commission	28 MoReg 1173	28 MoReg 1182		
DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS					
8 CSR 10-3.010	Division of Employment Security		28 MoReg 551	28 MoReg 1213	
8 CSR 10-3.130	Division of Employment Security	28 MoReg 948	28 MoReg 969		
8 CSR 20-3.030	Labor and Industrial Relations Commission		28 MoReg 325	28 MoReg 1214	
DEPARTMENT OF MENTAL HEALTH					
9 CSR 10-5.200	Director, Department of Mental Health		28 MoReg 1094		
9 CSR 10-5.220	Director, Department of Mental Health	28 MoReg 847	28 MoReg 873		
9 CSR 10-7.090	Director, Department of Mental Health	28 MoReg 848	28 MoReg 873		

Rule Number	Agency	Emergency	Proposed	Order	In Addition
9 CSR 10-7.130	Director, Department of Mental Health		28 MoReg 645		
9 CSR 25-2.005	Fiscal Management		This Issue		
9 CSR 25-2.105	Fiscal Management		This Issue		
9 CSR 25-2.205	Fiscal Management		This IssueR		
9 CSR 25-2.305	Fiscal Management		This Issue		
9 CSR 25-2.405	Fiscal Management		This Issue		
9 CSR 30-3.032	Certification Standards	28 MoReg 848	28 MoReg 874		
9 CSR 30-3.132	Certification Standards		This Issue		
9 CSR 45-5.060	Division of Mental Retardation and Developmental Disabilities	28 MoReg 848	28 MoReg 874		
9 CSR 45-5.105	Division of Mental Retardation and Developmental Disabilities				28 MoReg 1320RUC
9 CSR 45-5.110	Division of Mental Retardation and Developmental Disabilities				28 MoReg 1321RUC
9 CSR 45-5.130	Division of Mental Retardation and Developmental Disabilities				28 MoReg 1327RUC
9 CSR 45-5.140	Division of Mental Retardation and Developmental Disabilities				28 MoReg 1333RUC
9 CSR 45-5.150	Division of Mental Retardation and Developmental Disabilities				28 MoReg 1338RUC
DEPARTMENT OF NATURAL RESOURCES					
10 CSR 10-2.070	Air Conservation Commission		28 MoReg 551		
10 CSR 10-2.340	Air Conservation Commission		28 MoReg 325	28 MoReg 1301	
10 CSR 10-2.390	Air Conservation Commission		28 MoReg 552		
10 CSR 10-3.090	Air Conservation Commission		28 MoReg 553		
10 CSR 10-4.070	Air Conservation Commission		28 MoReg 553		
10 CSR 10-5.160	Air Conservation Commission		28 MoReg 554		
10 CSR 10-5.480	Air Conservation Commission		28 MoReg 555		
10 CSR 10-6.020	Air Conservation Commission		28 MoReg 719		
10 CSR 10-6.060	Air Conservation Commission		28 MoReg 724		
10 CSR 10-6.061	Air Conservation Commission		28 MoReg 728		
10 CSR 10-6.062	Air Conservation Commission		28 MoReg 731		
10 CSR 10-6.065	Air Conservation Commission		28 MoReg 734		
10 CSR 10-6.070	Air Conservation Commission		28 MoReg 555		
10 CSR 10-6.075	Air Conservation Commission		28 MoReg 557		
10 CSR 10-6.080	Air Conservation Commission		28 MoReg 559		
10 CSR 10-6.100	Air Conservation Commission		27 MoReg 2274	28 MoReg 1136	
10 CSR 10-6.110	Air Conservation Commission		28 MoReg 1095		
10 CSR 10-6.350	Air Conservation Commission		28 MoReg 141	28 MoReg 1301	
10 CSR 20-6.010	Air Conservation Commission		28 MoReg 1106		
10 CSR 25-12.010	Hazardous Waste Management Commission		28 MoReg 874		
10 CSR 30-2.020	Land Survey		28 MoReg 878		
10 CSR 30-2.030	Land Survey		28 MoReg 879		
10 CSR 30-2.040	Land Survey		28 MoReg 879		
10 CSR 30-2.060	Land Survey		28 MoReg 880		
10 CSR 30-2.070	Land Survey		28 MoReg 880		
10 CSR 30-2.080	Land Survey		28 MoReg 880		
10 CSR 30-2.090	Land Survey		28 MoReg 881		
10 CSR 30-2.100	Land Survey		28 MoReg 881		
10 CSR 60-2.015	Public Drinking Water Program		28 MoReg 735		
10 CSR 60-4.010	Public Drinking Water Program		28 MoReg 969		
10 CSR 60-4.020	Public Drinking Water Program		28 MoReg 736		
10 CSR 60-4.030	Public Drinking Water Program		28 MoReg 737		
10 CSR 60-4.040	Public Drinking Water Program		28 MoReg 739		
10 CSR 60-4.050	Public Drinking Water Program		28 MoReg 739		
10 CSR 60-4.055	Public Drinking Water Program		28 MoReg 744		
10 CSR 60-4.070	Public Drinking Water Program		28 MoReg 746		
10 CSR 60-4.090	Public Drinking Water Program		28 MoReg 747		
10 CSR 60-4.100	Public Drinking Water Program		28 MoReg 752		
10 CSR 60-5.010	Public Drinking Water Program		28 MoReg 973		
10 CSR 60-6.050	Public Drinking Water Program		28 MoReg 753		
10 CSR 60-7.010	Public Drinking Water Program		28 MoReg 753		
10 CSR 60-8.010	Public Drinking Water Program		28 MoReg 757R		
			28 MoReg 757		
10 CSR 60-8.030	Public Drinking Water Program		28 MoReg 764		
10 CSR 60-9.010	Public Drinking Water Program		28 MoReg 776		
10 CSR 70-5.040	Soil and Water Districts Commission	This Issue			
DEPARTMENT OF PUBLIC SAFETY					
11 CSR 40-2.010	Division of Fire Safety		28 MoReg 645R	28 MoReg 1214R	
11 CSR 40-2.020	Division of Fire Safety		28 MoReg 645R	28 MoReg 1214R	
11 CSR 40-2.030	Division of Fire Safety		28 MoReg 645R	28 MoReg 1214R	

Rule Number	Agency	Emergency	Proposed	Order	In Addition
11 CSR 40-2.040	Division of Fire Safety		28 MoReg 646R	28 MoReg 1214R	
11 CSR 40-2.050	Division of Fire Safety		28 MoReg 646R	28 MoReg 1214R	
11 CSR 40-2.060	Division of Fire Safety		28 MoReg 646R	28 MoReg 1214R	
11 CSR 40-5.110	Division of Fire Safety		28 MoReg 646	28 MoReg 1215	
11 CSR 40-6.010	Division of Fire Safety		28 MoReg 973		
11 CSR 40-6.020	Division of Fire Safety		28 MoReg 974		
11 CSR 40-6.031	Division of Fire Safety		28 MoReg 974		
11 CSR 40-6.040	Division of Fire Safety		28 MoReg 977		
11 CSR 40-6.045	Division of Fire Safety		28 MoReg 977		
11 CSR 40-6.050	Division of Fire Safety		28 MoReg 977		
11 CSR 40-6.055	Division of Fire Safety		28 MoReg 978		
11 CSR 40-6.060	Division of Fire Safety		28 MoReg 980		
11 CSR 40-6.075	Division of Fire Safety		28 MoReg 980		
11 CSR 40-6.080	Division of Fire Safety		28 MoReg 980		
11 CSR 40-6.085	Division of Fire Safety		28 MoReg 981		
11 CSR 45-3.010	Missouri Gaming Commission		28 MoReg 403	28 MoReg 1311	
11 CSR 45-4.260	Missouri Gaming Commission		28 MoReg 34		
11 CSR 45-5.200	Missouri Gaming Commission		28 MoReg 404	28 MoReg 1311	
11 CSR 45-9.030	Missouri Gaming Commission		28 MoReg 1106		
11 CSR 45-10.030	Missouri Gaming Commission		28 MoReg 649		
11 CSR 45-13.010	Missouri Gaming Commission		This Issue		
11 CSR 45-13.020	Missouri Gaming Commission		This Issue		
11 CSR 45-13.030	Missouri Gaming Commission		This Issue		
11 CSR 45-13.045	Missouri Gaming Commission		This Issue		
11 CSR 45-13.050	Missouri Gaming Commission		This Issue		
11 CSR 45-13.051	Missouri Gaming Commission		This Issue		
11 CSR 45-13.060	Missouri Gaming Commission		This Issue		
11 CSR 45-13.070	Missouri Gaming Commission		This Issue		
11 CSR 45-13.080	Missouri Gaming Commission		This Issue		
11 CSR 45-30.540	Missouri Gaming Commission		28 MoReg 1110		
11 CSR 45-30.550	Missouri Gaming Commission		28 MoReg 1110		
11 CSR 50-2.430	Missouri State Highway Patrol	28 MoReg 629	28 MoReg 649	28 MoReg 1215	
11 CSR 50-2.440	Missouri State Highway Patrol	28 MoReg 629	28 MoReg 650	28 MoReg 1215	
11 CSR 75-13.010	Peace Officer Standards and Training Program		28 MoReg 1043		
11 CSR 75-14.030	Peace Officer Standards and Training Program		28 MoReg 1043		
DEPARTMENT OF REVENUE					
12 CSR 10-3.036	Director of Revenue		This IssueR		
12 CSR 10-3.046	Director of Revenue		This IssueR		
12 CSR 10-3.120	Director of Revenue		This IssueR		
12 CSR 10-3.176	Director of Revenue		This IssueR		
12 CSR 10-3.486	Director of Revenue		This IssueR		
12 CSR 10-3.836	Director of Revenue		This IssueR		
12 CSR 10-3.838	Director of Revenue		This IssueR		
12 CSR 10-23.050	Director of Revenue (Changed to 12 CSR 10-26.190)		This Issue		
12 CSR 10-23.190	Director of Revenue (Changed to 12 CSR 10-26.180)		28 MoReg 1110		
12 CSR 10-23.300	Director of Revenue		This Issue		
12 CSR 10-23.330	Director of Revenue		This Issue		
12 CSR 10-23.370	Director of Revenue		This Issue		
12 CSR 10-23.420	Director of Revenue		This Issue		
12 CSR 10-23.436	Director of Revenue		This IssueR		
12 CSR 10-23.444	Director of Revenue		This IssueR		
12 CSR 10-23.446	Director of Revenue		28 MoReg 981		
12 CSR 10-23.456	Director of Revenue		28 MoReg 1189		
12 CSR 10-23.458	Director of Revenue		This Issue		
12 CSR 10-24.140	Director of Revenue		28 MoReg 404	This Issue	
12 CSR 10-24.385	Director of Revenue		This Issue		
12 CSR 10-24.390	Director of Revenue		This Issue		
12 CSR 10-26.180	Director of Revenue (Changed from 12 CSR 10-23.190)		28 MoReg 1110		
12 CSR 10-26.190	Director of Revenue (Changed from 12 CSR 10-23.050)		This Issue		
12 CSR 10-110.900	Director of Revenue		28 MoReg 881		
12 CSR 10-111.010	Director of Revenue		28 MoReg 886		
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13 CSR 40-31.025	Division of Family Services		28 MoReg 34		
13 CSR 70-1.020	Division of Medical Services		28 MoReg 405	This Issue	
13 CSR 70-3.065	Division of Medical Services	28 MoReg 288	28 MoReg 327		28 MoReg 592
13 CSR 70-4.040	Division of Medical Services		28 MoReg 1044		
13 CSR 70-15.010	Division of Medical Services		28 MoReg 560	28 MoReg 1215	
13 CSR 70-15.110	Division of Medical Services	28 MoReg 1023	28 MoReg 1044		
13 CSR 70-20.320	Division of Medical Services		28 MoReg 409	28 MoReg 1215	

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13 CSR 70-40.010	Division of Medical Services		28 MoReg 650		
13 CSR 70-98.010	Division of Medical Services		28 MoReg 1111		
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13 CSR 73-2.020	Missouri Board of Nursing Home Administrators (Changed to 19 CSR 73-2.020)		28 MoReg 412	28 MoReg 1216	
13 CSR 73-2.025	Missouri Board of Nursing Home Administrators (Changed to 19 CSR 73-2.025)		28 MoReg 417	28 MoReg 1216	
13 CSR 73-2.031	Missouri Board of Nursing Home Administrators (Changed to 19 CSR 73-2.031)		28 MoReg 417	28 MoReg 1216	
13 CSR 73-2.050	Missouri Board of Nursing Home Administrators (Changed to 19 CSR 73-2.050)		28 MoReg 418	28 MoReg 1217	
13 CSR 73-2.051	Missouri Board of Nursing Home Administrators (Changed to 19 CSR 73-2.051)		28 MoReg 419	28 MoReg 1217	
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13 CSR 73-2.060	Missouri Board of Nursing Home Administrators (Changed to 19 CSR 73-2.060)		28 MoReg 420	28 MoReg 1217	
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13 CSR 73-2.085	Missouri Board of Nursing Home Administrators (Changed to 19 CSR 73-2.085)		28 MoReg 421	28 MoReg 1217	
13 CSR 73-2.090	Missouri Board of Nursing Home Administrators (Changed to 19 CSR 73-2.090)		28 MoReg 421	28 MoReg 1218	
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15 CSR 30-45.030	Secretary of State		28 MoReg 422	28 MoReg 1137	
15 CSR 30-51.020	Secretary of State		28 MoReg 561	28 MoReg 1311	
15 CSR 30-52.310	Secretary of State		28 MoReg 331	28 MoReg 1311	
15 CSR 30-54.010	Secretary of State		28 MoReg 561	28 MoReg 1311	
15 CSR 30-54.015	Secretary of State		28 MoReg 562	28 MoReg 1311	
15 CSR 30-54.060	Secretary of State		28 MoReg 562	28 MoReg 1312	
15 CSR 30-54.070	Secretary of State		28 MoReg 563R 28 MoReg 563	28 MoReg 1312R 28 MoReg 1312	
15 CSR 30-54.210	Secretary of State		28 MoReg 563R 28 MoReg 564	28 MoReg 1312R 28 MoReg 1312	
15 CSR 30-54.220	Secretary of State		28 MoReg 564R	28 MoReg 1313W	
15 CSR 30-59.020	Secretary of State		28 MoReg 565	28 MoReg 1313	
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15 CSR 60-11.010	Attorney General		28 MoReg 331	28 MoReg 1314	
15 CSR 60-11.020	Attorney General		28 MoReg 331	28 MoReg 1314	
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15 CSR 60-11.040	Attorney General		28 MoReg 332	28 MoReg 1314	
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15 CSR 60-11.070	Attorney General		28 MoReg 333	28 MoReg 1314	
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15 CSR 60-11.120	Attorney General		28 MoReg 335	28 MoReg 1315	
15 CSR 60-11.130	Attorney General		28 MoReg 335	28 MoReg 1315	
15 CSR 60-11.140	Attorney General		28 MoReg 336	28 MoReg 1316	
15 CSR 60-11.150	Attorney General		28 MoReg 336	28 MoReg 1316	
15 CSR 60-11.160	Attorney General		28 MoReg 337	28 MoReg 1316	

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16 CSR 50-2.035	The County Employees' Retirement Fund		28 MoReg 1047		
16 CSR 50-2.090	The County Employees' Retirement Fund		28 MoReg 1047		

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19 CSR 10-33.040	Office of the Director	28 MoReg 1247	28 MoReg 1287		
19 CSR 15-4.050	Division of Senior Services		28 MoReg 890		
19 CSR 20-8.030	Division of Environmental Health and Communicable Disease Prevention		28 MoReg 422	28 MoReg 1137	
19 CSR 20-20.080	Division of Environmental Health and Communicable Disease Prevention		28 MoReg 776	This Issue	
19 CSR 20-20.091	Division of Environmental Health and Communicable Disease Prevention		28 MoReg 776	This Issue	
19 CSR 20-20.092	Division of Environmental Health and Communicable Disease Prevention		28 MoReg 777	This Issue	
19 CSR 30-1.002	Division of Health Standards and Licensure		28 MoReg 429	28 MoReg 1138	
19 CSR 30-1.011	Division of Health Standards and Licensure		28 MoReg 434	28 MoReg 1138	
19 CSR 30-1.015	Division of Health Standards and Licensure		28 MoReg 434	28 MoReg 1138	
19 CSR 30-1.017	Division of Health Standards and Licensure		28 MoReg 435	28 MoReg 1138	
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19 CSR 30-1.023	Division of Health Standards and Licensure		28 MoReg 437	28 MoReg 1138	
19 CSR 30-1.034	Division of Health Standards and Licensure		28 MoReg 437	28 MoReg 1139	
19 CSR 30-1.040	Division of Health Standards and Licensure		28 MoReg 438R	28 MoReg 1139	
19 CSR 30-40.309	Division of Health Standards and Licensure	28 MoReg 849	28 MoReg 896		
19 CSR 40-9.020	Division of Maternal, Child and Family Health		28 MoReg 438	28 MoReg 1139	
19 CSR 60-50.300	Missouri Health Facilities Review Committee	28 MoReg 106R 28 MoReg 106	28 MoReg 157R 28 MoReg 157 28 MoReg 1189	28 MoReg 1139RW 28 MoReg 1139W	
19 CSR 60-50.400	Missouri Health Facilities Review Committee	28 MoReg 108R 28 MoReg 109	28 MoReg 159R 28 MoReg 159 28 MoReg 1192	28 MoReg 1140RW 28 MoReg 1140W	
19 CSR 60-50.410	Missouri Health Facilities Review Committee	28 MoReg 110R 28 MoReg 110	28 MoReg 160R 28 MoReg 160 28 MoReg 1194	28 MoReg 1140RW 28 MoReg 1140W	
19 CSR 60-50.420	Missouri Health Facilities Review Committee	28 MoReg 111R 28 MoReg 112	28 MoReg 161R 28 MoReg 161 28 MoReg 1196	28 MoReg 1140RW 28 MoReg 1140W	
19 CSR 60-50.430	Missouri Health Facilities Review Committee	28 MoReg 113R 28 MoReg 113	28 MoReg 162R 28 MoReg 163 28 MoReg 1199	28 MoReg 1141RW 28 MoReg 1141W	
19 CSR 60-50.450	Missouri Health Facilities Review Committee	28 MoReg 115R 28 MoReg 116	28 MoReg 164R 28 MoReg 164 28 MoReg 1202	28 MoReg 1141RW 28 MoReg 1141W	
19 CSR 60-50.700	Missouri Health Facilities Review Committee	28 MoReg 117R 28 MoReg 117	28 MoReg 166R 28 MoReg 166 28 MoReg 1205	28 MoReg 1142RW 28 MoReg 1142W	
19 CSR 73-1.010	Missouri Board of Nursing Home Administrators (<i>Changed from 13 CSR 73-1.010</i>)		28 MoReg 412	28 MoReg 1216	
19 CSR 73-2.015	Missouri Board of Nursing Home Administrators (<i>Changed from 13 CSR 73-2.015</i>)		28 MoReg 412	28 MoReg 1216	
19 CSR 73-2.020	Missouri Board of Nursing Home Administrators (<i>Changed from 13 CSR 73-2.020</i>)		28 MoReg 412	28 MoReg 1216	
19 CSR 73-2.025	Missouri Board of Nursing Home Administrators (<i>Changed from 13 CSR 73-2.025</i>)		28 MoReg 417	28 MoReg 1216	
19 CSR 73-2.031	Missouri Board of Nursing Home Administrators (<i>Changed from 13 CSR 73-2.031</i>)		28 MoReg 417	28 MoReg 1216	
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19 CSR 73-2.055	Missouri Board of Nursing Home Administrators (<i>Changed from 13 CSR 73-2.055</i>)		28 MoReg 419	28 MoReg 1217	
19 CSR 73-2.060	Missouri Board of Nursing Home Administrators (<i>Changed from 13 CSR 73-2.060</i>)		28 MoReg 420	28 MoReg 1217	
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19 CSR 73-2.085	Missouri Board of Nursing Home Administrators (<i>Changed from 13 CSR 73-2.085</i>)		28 MoReg 421	28 MoReg 1217	
19 CSR 73-2.090	Missouri Board of Nursing Home Administrators (<i>Changed from 13 CSR 73-2.090</i>)		28 MoReg 421	28 MoReg 1218	
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20 CSR	Medical Malpractice	26 MoReg 599 27 MoReg 415 28 MoReg 489
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20 CSR	Sovereign Immunity Limits				26 MoReg 75 27 MoReg 41 27 MoReg 2319
20 CSR 100-1.060	Division of Consumer Affairs		27 MoReg 2300		
20 CSR 300-2.200	Market Conduct Examinations	28 MoReg 397	28 MoReg 439	28 MoReg 1142	
20 CSR 400-3.650	Life, Annuities and Health		27 MoReg 1362		
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20 CSR 500-1.210	Property and Casualty		27 MoReg 2219	28 MoReg 1050	
20 CSR 500-6.960	Property and Casualty	27 MoReg 848R	27 MoReg 905R 27 MoReg 2220R	28 MoReg 1050R	
20 CSR 500-10.100	Property and Casualty		27 MoReg 2220	28 MoReg 1051	

Emergency Rules in Effect as of August 1, 2003

Publication

Expires

Department of Economic Development

Public Service Commission

- 4 CSR 240-120.140 New Manufactured Home Manufacturer's Inspection Fee 28 MoReg 287 August 1, 2003
4 CSR 240-123.030 Seals 28 MoReg 288 August 1, 2003

Office of Tattooing, Body Piercing and Branding

- 4 CSR 267-4.020 Temporary Practitioner License 28 MoReg 947 October 24, 2003

Department of Transportation

Missouri Highways and Transportation Commission

- 7 CSR 10-3.040 Division of Relocation Costs 28 MoReg 1173 February 26, 2004
7 CSR 10-25.010 Skill Performance Evaluation Certificates for Commercial Drivers 28 MoReg 1173 February 26, 2004

Department of Labor and Industrial Relations

Division of Employment Security

- 8 CSR 10-3.130 Direct Deposit of Unemployment Benefits 28 MoReg 948 October 27, 2003

Department of Mental Health

Director, Department of Mental Health

- 9 CSR 10-5.220 Privacy Rule of Health Insurance Portability and Accountability
Act of 1996 (HIPAA) 28 MoReg 847 October 14, 2003
9 CSR 10-7.090 Governing Authority and Program Administration 28 MoReg 848 October 14, 2003
Certification Standards
9 CSR 30-3.032 Certification of Alcohol and Drug Abuse Programs 28 MoReg 848 October 14, 2003
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9 CSR 45-5.060 Procedures to Obtain Certification 28 MoReg 848 October 14, 2003

Department of Natural Resources

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- 10 CSR 70-5.040 Cost-Share Rates and Reimbursement Procedures This Issue January 14, 2004

Department of Public Safety

Missouri State Highway Patrol

- 11 CSR 50-2.430 Verification of Homemade Trailers 28 MoReg 629 September 22, 2003
11 CSR 50-2.440 Vehicle Identification Number and Odometer Reading Verification 28 MoReg 629 September 22, 2003

Department of Social Services

Division of Family Services

- 13 CSR 40-2.310 Requirements as to Eligibility for Temporary Assistance Next Issue January 27, 2004
13 CSR 40-2.380 Grandparents as Foster Parents Next Issue January 27, 2004

Division of Medical Services

- 13 CSR 70-15.110 Federal Reimbursement Allowance (FRA) 28 MoReg 1023 February 19, 2004
13 CSR 70-65.010 Rehabilitation Center Program 28 MoReg 291 August 27, 2003
13 CSR 70-70.010 Therapy Program 28 MoReg 293 August 27, 2003

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- 15 CSR 30-80.010 Redaction of the Social Security Numbers and Date of Birth from
Business Entity Filings 28 MoReg 949 November 6, 2003

Department of Health and Senior Services

Office of the Director

- 19 CSR 10-33.040 Electronic Reporting of Patient Abstract Data by
Hospitals for Public Syndromic Surveillance 28 MoReg 1247 January 2, 2004

Division of Health Standards and Licensure

- 19 CSR 30-40.309 Application and Licensure Requirements Standards for the Licensure
and Relicensure of Ground Ambulance Services 28 MoReg 849 October 11, 2003

Department of Insurance

Market Conduct Examination

- 20 CSR 300-2.200 Records Required for Purposes of Market Conduct Examinations 28 MoReg 397 August 22, 2003

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	Subject Matter	Filed Date	Publication
03-01	Reestablishes the Missouri Lewis and Clark Bicentennial Commission	February 3, 2003	28 MoReg 296
03-02	Establishes the Division of Family Support in the Dept. of Social Services	February 5, 2003	28 MoReg 298
03-03	Establishes the Children's Division in the Dept. of Social Services	February 5, 2003	28 MoReg 300
03-04	Transfers all TANF functions to the Division of Workforce Development in the Dept. of Economic Development	February 5, 2003	28 MoReg 302
03-05	Transfers the Division of Highway Safety to the Dept. of Transportation	February 5, 2003	28 MoReg 304
03-06	Transfers the Minority Business Advocacy Commission to the Office of Administration	February 5, 2003	28 MoReg 306
03-07	Creates the Commission on the Future of Higher Education	March 17, 2003	28 MoReg 631
03-09	Lists Governor's Staff Who Have Supervisory Authority Over Departments	March 18, 2003	28 MoReg 633
03-10	Creates the Missouri Energy Policy Council	March 13, 2003	28 MoReg 634
03-11	Creates the Citizens Advisory Committee on Corrections	April 1, 2003	28 MoReg 705
03-12	Declares Disaster Areas due to May 4 Tornadoes	May 5, 2003	28 MoReg 950
03-13	Calls National Guard to Assist in Areas Harmed by the May 4 Tornadoes	May 5, 2003	28 MoReg 952
03-14	Temporarily Suspends Enforcement of Environmental Rules due to the May 4th [et.al] Tornadoes	May 7, 2003	28 MoReg 954

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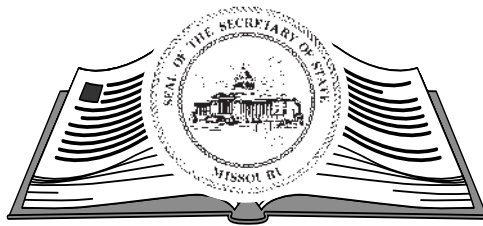
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